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Canadian Association of University Teachers

l'Association canadienne des professeurs d'université

Manitoba Negotiates Collective Agreement

by Carolyn Masleck

Following protracted bargaining, the University of Manitoba Faculty Association (UMFA) has negotiated its first collective agreement since being certified last year. The agreement covers terms and conditions of employment for the 1975-76 academic year.

The contract is comprehensive in nature and embraces a wide range of matters that set a vital precedent for future negotiations with the University Board of Governors. Together with the process of certification, it establishes the right of faculty and librarians to enter into formal negotiations with the Board of Governors and establishes as rights many dispositions which were formerly granted by the Board as mere privileges.

According to Manitoba University law professor Roland Penner (Chairman of the CAUT Collective Bargaining Committee) who helped negotiate the settlement, "It is a good solid agreement that the faculty is happy about in many respects. By persevering," he says, "we achieved an agreement which is recognized by the Faculty Association, deans and administrators and the Board of Governors, as not having created an adversarial position but as having given real meaning to the concept of shared authority within the University."

The final salary settlement (which is back-dated to April 1, 1975) provides for each member of the bargaining unit employed by the University on April 1 to receive a salary increase of 3 per cent of the base salary as of April 1, plus an across-the-board base salary increase of $1,600 per annum.

Salary floors for members of the bargaining unit for the 1975-76 fiscal year will be $23,400 for full professors, $18,300 for associate professors, $14,000 for assistant professors and $11,000 for lecturers and professional librarians.

In addition to merit pay increments according to scale, there is provision for increments of not less than one per cent to be awarded to all members of the bargaining unit unless withheld for good reason. To this end the University will establish a merit pool equivalent to 1.2 increments per member of the bargaining unit.

Distribution of merit pay will be determined by the faculty members of a department, meeting in committee, making recommendations to the department head. If the committee and the department head cannot agree, both proposals will be submitted to the Dean, who may accept one or the other or refer the matter back with his recommendation. Once agreed upon, such procedures must be made known by the department head in writing to all members of the department, and thereafter shall be used in the award of merit pay.

Merit pay will be granted according to teaching, service, research, creative works and performances and professional competence as applicable.

Another important clause of the agreement is the establishment, by the University, of a separate "Anomalies and Women's Inequities Fund" of $100,000 in order to correct anomalies in salaries including the rectification of inequities in salaries of women faculty members and librarians who do not currently earn the salary of a male peer. The money will be administered by a Fund Committee.

The agreement establishes grievance and binding arbitration procedures. The right to grieve is not confined to what is specifically described in the agreement but also includes "unjust treatment" meaning administration actions relating to terms and conditions of employment not covered by the agreement which adversely affect an individual member of the bargaining unit.

It provides for informal resolution of alleged unjust treatment or grievance at the level of department head and/or dean. If no satisfactory solution is found at

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Alberta Adult Education Act

University Self-Government Restricted

The Alberta Ministry of Advanced Education and Manpower has prepared a draft act which could, if enacted in its present form, severely limit the ability of universities and colleges to govern themselves and bring the government into the heart of university administration.

The proposed "Adult Education Act" implies ministerial intrusion into the university without any sort of buffer such as a grants commission. University of Calgary Faculty Association President Dr. William werman feels the Act "removes the concept of regional accountability in determining local needs" by its centralization of power in the hands of the Ministry.

The minister's power could allow examination of academic power and management including the possibility of approval of individual courses. The Act is so complete in terms of administrative interference that, according to Dr. Zwerman "it could mean universities and colleges would have to create mini-bureaucracies to satisfy ministry requirements for information".

Specifically, the Act would intergrate all post-secondary institutions in the province under one act giving the minister and his deputies power to renew and approve all budgets and to approve programmes and courses.

It contains a redundancy clause which means that the minister could force institutions to eliminate courses and programmes which are offered elsewhere. It gives the minister special powers of enquiry with a right to monitor "any activity of a member of the system of advanced education that has implications for the system as a whole".

The minister would have power to examine standards and criteria in recruitment, hiring and teaching and would advise the Lieutenant Governor in Council on the adequacy of academic standards governing membership in professional associations and occupations.

According to Dr. Zwerman, the Act provides for a reorganization of university governance, particularly in relation to decisions on academic matters. Academic Councils would only be empowered to make recommendations to the Board of Governors which would in turn make recommendations to the Minister. His approval would be required for the establishment of any services, faculties and programmes of study the Board might recommend.

There is provision for certification of faculty associations if so desired, but in order to give associations the opportunity "to try out a particular procedure and abandon it if it does not turn out to be appropriate" no procedure for contract negotiations can remain in effect longer than one year. Moreover, even if an association is certified with the right to strike, the minister can "suspend" a strike or lock-out when he determines that either would cause "undue hardship" for students.

C.M.

A more detailed review of this legislation will appear in the next issue of the Bulletin.

OTTAWA UNIVERSITY CERTIFIES

Following a hearing at the end of August, the Ontario Labour Relations Board has granted **interim certification** to the Association of Professors of the University of Ottawa (APUO). It is the first granted by the Labour Board under an amendment to the Ontario Labour Relations Act, which provides for **interim certification** where the Board is satisfied that any dispute as to the composition of the bargaining unit cannot affect the trade union's right to certification.

The Board's decision, handed down on September 12, notes that the bargaining unit proposed by the APUO differed in almost every material respect from the unit proposed by the University. However, following lengthy discussions, the area of dispute was narrowed and the parties agreed to the following bargaining unit:

"All full-time academic staff employed by the respondent (University of Ottawa) and all full-time academic staff to whom at least 50% of the salary at the university is paid by the respondent, save and except members of the Board of Governors, Rector, Vice-Rectors, Assistant Vice-Rectors, Secretary to the University, Deans, Director of the Institute for International Co-operation and/or persons holding acting appointments and so acting in the above positions, all full-time academic staff engaged in the practice of medicine in the course of clinical teaching of medicine, members of the full-time academic staff employed on a full-time basis in a position outside the bargaining unit."

All full-time academic staff is interpreted to mean such members of the staff appointed with 50% or more employment status and holding a rank described as lecturer, assistant professor, associate professor or full professor or language professor or persons holding essentially comparable ranks. The unit will include Medical Research Council Associates but not visiting professors which are restricted at Ottawa to the senior ranks.

Still in dispute as to status are Department Chairmen, Vice-Deans, Associate Deans, Director of Orientation Centre, Director of Department of Language Training, Director of Hospital Administration and Director of Child Study Centre. These individuals are being examined by the Labour Relations Board as to job-function, to determine if they have community of interest with the bargaining unit or managerial functions which would exclude them.

The APUO had filed for the professional librarians. Because an application was also filed on the librarians' behalf by the Canadian Union of Public Employees (CUPE) the Board decided a representational vote of librarians would be held to determine their affiliation. The librarians favoured affiliation with CUPE by a vote of 21-17.

NOTICE

AD HOC COMMITTEE ON FEE STRUCTURE

The CAUT Board has established a committee to undertake a comprehensive review of the CAUT fee structure, in accordance with the resolution approved by the Council 14-15 May 1975. The committee will undertake to update the data on fees, prepare comparative data on fees charged by other organizations, attempt to indicate the extent to which locals and individuals receive services that can have a value placed upon them, attempt to document, through a survey of locals, the extent of any dissatisfaction with the present arrangements and the preferences for change and develop a reasonable concensus on what changes (if any) should be made in the fee structure.

CAUT members are invited to communicate any views they may have on the current fee structure, or recommendations for change, to the committee chairman, CAUT Past President Richard Spencer, care of the CAUT central office at 66 Lisgar St., Ottawa, Ontario.

Current Fee Scales (Annual)*

Full Professor	$44.56
Associate Professor	$32.48
Assistant Professor	$26.00
Others (Full-time)	$20.56
Part-time	$ 6.85

*In addition the CAUT Board and Council have authorized a $2.50 annual per capital levy.

MANITOBA... *cont'd from p. 1*

the informal level there is provision for two formal stages of internal resolution of grievance. If no satisfactory resolution of a grievance can be found internally there is provision to submit the matter to binding arbitration. Where no satisfactory resolution can be found to a case of alleged unfair treatment outside of the agreement, the employee may refer the matter to an inquiry committee.

Arbitration will normally be by one member of a panel of at least five members, from outside the university, mutually agreed upon by both parties. In cases involving non-renewal of appointment, denial of tenure, promotion or dismissal for cause, there is an option of a three-man board.

The agreement describes in detail the rights, duties and responsibilities of faculty members within the academic community. It specifies how faculties establish a tenure committee structure and states that recommendations for tenure must be based on assessment of the academic attributes of a faculty member by his or her peers. These attributes are similar to those to be considered in awarding merit pay increments.

There is provision for several stages of appeal in the event of a negative decision on tenure. Substantive decisions on tenure may be grieved to a faculty committee whose decision is final. It is also possible to grieve procedure defects in the tenure committee or appeal committee process by the previously-cited grievance and arbitration procedures. Procedures are also created to deal with the non-renewal of a probationary contract.

The agreement also contains clauses prohibiting discrimination in regard to appointments, promotion, merit raises and tenure on the basis of family relationship. It contains clauses on academic freedom, copyright, patents, travel funds, sabbaticals, other leaves, exigency, redundancy, association rights, continuation of past practices and a variety of other matters. It also provides for the Rand formula in relation to the collection of association dues.

"The most important part of the agreement," according to Dr. Donald C. Savage, Executive Director of CAUT "is that for the first time at Manitoba it provides a legal basis for true shared authority. UMFA was able to negotiate a comprehensive agreement which ensures that most relevant parts of the terms and conditions of a faculty are governed by a negotiated contract which has legal validity and cannot be changed by the unilateral action of either the President or the Board of Governors."

The process of negotiation of this contract was lengthy and at times difficult. Negotiations commenced in December and were concluded in August. Faculty discussed the results at a meeting on 22 September and ratified by a subsequent secret ballot by a margin of 441-25. CAUT staff assisted at the bargaining table during the last four months of negotiation.

GERMANY... *cont'd from p. 3*

This judgment, on a case arising in Schleswig-Holstein, was published in July. By and large the Court condones present practices when it declares that an applicant's membership of an extremist party or group may be a factor in deciding on his or her suitability for a public service post.

The Court thus upholds the need for special loyalty by the German Civil Service towards the state and extends this requirement even to the probationary stages of a civil service career or to temporary civil servants.

On the other hand, the Court emphasizes that this is only one factor among several. It likens it to other, well-established reasons for rejection. For example, an applicant for a German teaching post with civil service status may be turned down by the ministry because he lacks even a minimum of pedagogic skill. It follows from this — and the judgment makes this explicit — that it is unconstitutional to collect specially and systematically material about a candidate.

Not surprisingly, in view of the substance of the decision, both major parties were quick to point out that their respective interpretations had been vindicated. What remains particularly disturbing, however, is that as the country is entering a phase of renewed conservatism this should be accompanied by repressive measures which in the education sector now appear to threaten even quite moderate reform efforts.

Reprinted from Times Higher Education Supplement August 22, 1975.

Political Repression of Academics

in Germany

by Gunther Kloss

Protests by university teachers and others employed in the West German public service are intensifying. The protests are directed against the *Länder* governments' drive to eliminate so-called "radicals" by screening applicants for public service careers and even dismissing people already holding such appointments.

Although all university staff, from lecturers to cleaners, are state employees, and although most university teachers with tenure are civil servants, the universities have a substantial role in their selection and employment. Thus the government action constitutes yet another intrusion by the state into the already much reduced area of university autonomy. In addition, the policies are seen by many as a serious infringement of basic constitutionally guaranteed rights.

The latest in a long series of collective protests was signed by 200 Hamburg university professors, lecturers and other staff. They criticize the methods of, as they call it, "indirect force" which are employed during the investigating practices in the universities and during the assessment techniques when individual cases are being examined.

And they declare that "selecting applicants on the basis of political reliability . . . may, to a politically directed bureaucracy, appear an appropriate way of protecting academic freedom and the basic democratic order; in reality, it is certain to destroy both".

Previous protests have come from university teachers in Hessen (150 professors and lecturers in early July), Berlin and Bremen. The whole movement began in Baden-Württemberg, where at the beginning of this year 100 professors at five universities of the *Land* among them the *Rektor* of the University of Konstanz and several prominent political scientists, denounced the methods employed by the regional government in applying the controversial Extremists Decree. Since then they have been joined by teachers from all other universities of the *Land* and by several university senates.

The Extremists Decree was jointly issued in January 1972 by the prime ministers of the federal *Länder*, regardless of their party allegiance, and the Federal Chancellor. It was designed to arrive at some acceptable compromise formula as to how to deal with applicants who were either members of, or sympathizers with, radical groups or parties.

The crucial argument in the decree runs as follows: if an applicant for a public service post belongs to an organization with anticonstitutional aims his or her membership provides grounds for doubts whether he or she will always defend the free democratic order. Such doubts normally justify a rejection of an application.

The argument highlights an apparent conflict between stipulations of the Civil Service Law and several articles in the Basic Law, the Federal Republic's constitution. The former requires every civil servant to profess a special loyalty towards the basic principles of the state enshrined in the Basic Law. It falls within the sphere of activity of the bureaucracy to examine each application on these grounds.

On the other hand, as the 100 Baden — Württemberg professors point out forcefully, the Basic Law guarantees the freedom of opinion, learning and the arts, and also an individual's right to freely choose his or her profession. In addition, the Constitutional Court established in 1961 that only this Court and no other body can legally claim the unconstitutionality of a political party.

Political and constitutional issues are intermingled. The crucial question is, in fact, whether the mere membership of an extremist organization, which itself is not forbidden, automatically constitutes grounds for not employing a person, or whether each case must be examined individually.

Baden-Württemberg provides a good example of a narrow interpretation of the decree. It has become known, for instance, that it was held against an applicant for a temporary demonstrator post that four years previously he had, in a pamphlet, invited grammar school pupils to strike. An Englishman, applying for a readership at Konstanz university, was accused of Trotskyist associations. The examination of his case took six months, at the end of which the applicant declared himself to be "depressed and very worried", as, according to him, all he had ever done was to have some friends who were, or had been, Trotskyists. He was lucky enough to find an alternative post at the University of Münster in Northrhine-Westphalia.

Many similar cases end up in the courts. Unfortunately their judgments have not been uniform either, so the confusion continues. It was clear to most observers that once again one had to look towards the supreme Constitutional Court for an answer, which might also help to defuse the political aspects of the issue. The federal government had tried to do this previously in March 1974 when it submitted a draft Bill which put the stress on the individual nature of each case, though giving precedence to the duty of loyalty.

Partly as a result of opposition from the second (*Länder*) chamber which, under the guidance of the governments of Baden-Württemberg and Bavaria, had prepared its own Bill following closely the Extremists Decree, this legislation has not yet been passed by the federal Parliament. The federal government has preferred to wait for the Constitutional Court's decision.

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in Czechoslovakia

By Karen J. Winkler

SAN FRANCISCO

Historians meeting here have protested the political repression of hundreds of their colleagues in Czechoslovakia and other communist countries.

Criticism of the Soviet Union's role in suppressing non-communist scholarship in its satellite Czechoslovakia was a pervasive undercurrent throughout the week-long convention of the 14th International Congress of the Historical Sciences.

Some 1,400 historians from around the world attended the congress, which is held every five years.

Apparently in response to the charges against their government, Soviet delegates quietly boycotted the closing session of the meeting.

According to a widely circulated petition drawn up by students from the University of California at Berkeley, "since August 21, 1968" — following the Soviet invasion of Czechoslovakia — "145 Czech historians have been dismissed from their professional positions for political reasons."

"Most of them were members of the Communist Party," Heinrich A. Winkler, a delegate from West Germany, said. "They lost their positions since they did not agree with the political line of the Soviet party" in matters involving the interpretation of history.

The 145 scholars have been forced by the state to take jobs as firemen, clerks, receptionists, and other unskilled laborers, Western historians charged. At least four have been imprisoned, they said.

Their works have been taken from libraries and destroyed, and topics such as the history of the labor movement and of nationalist heroes have been forbidden, according to a document compiled for the Congress by dissident scholars in Czechoslovakia. A number of scholarly institutes considered subversive have been disbanded or radically reorganized, the statement claimed. It also listed 145 historians it said had been persecuted.

A Norwegian's Experience

The University of California students also circulated an open letter from Vilem Precan, described as one such Czechoslovak scholar, "to all taking part in the International Congress." Mr. Precan wrote that he had been dismissed from his teaching post, forced to become a receptionist in a restaurant, then fired from even that job, and finally forced to surrender his personal library and working notes to the police.

A Norwegian delegate told one session that when he and his students visited Czechoslovakia last year — as part of a cultural exchange between that country and Norway — they were not allowed to talk to Czech scholars about the topics they were studying. The subjects — the Hussite revolution in the 15th century and the rising of Slovakia in the 19th century — were considered "fascist" issues by the communist government, the Norwegian said.

"History in the service of a cause (like communism) is always in danger," warned Fritz Stern, a historian from Columbia University.

"If that cause has the power of the state behind it, with all the infinite possibilities of reward and punishment that the state can offer, then the likelihood of distorted history is great indeed."

The Soviet representatives responded that the charges of political repression of historians were "a little too far from the academic tone" of the meeting.

"We have come not to raise such questions," N. V. Sivachev said, "but to discuss scholarly works." He termed the discussion of the plight of the Czechoslovak historians "histerical."

When David S. Landes — an American historian who had helped call a news conference to protest Soviet policy towards historians — got up to deliver the closing speech at the Congress, the Soviet delegation rose and silently walked out. The president of the International Committee of Historical Sciences, the Russian historian E. M. Zhukov, left the podium. The Russians were reported to be especially disturbed by comments Mr. Landes had made at an earlier session, when he called the Soviet Union the most imperialistic country in the world today.

Reprinted from The Chronicle of Higher Education, September 15, 1975.

NEWS IN BRIEF

UBC Drafts Collective Agreement

In April of this year, the University of British Columbia Faculty Association voted to enter into formal collective bargaining with the University outside the Labour Code. This followed a vote by the members which favoured this option over certification by a margin of 52 per cent to 48 per cent.

To this end, the Faculty Association and the University have drafted a framework agreement on rules and procedures for collective bargaining. Once the framework agreement has been approved by the Association members it will be presented to the Board of Governors and the University and the Association will be able to enter into contract negotiations.

The provisions of the agreement meet the minimum criteria laid down by CAUT in its definition of "collective bargaining" (See Resolution of the CAUT Collective Bargaining Committee on p. 9), a crucial clause being the recognition of the Faculty Association as the sole bargaining agent for all members of the bargaining unit and for situations outside the Labour Code the creation of an impasse resolution, namely arbitration, in lieu of the right to strike.

In many provinces, such recognition by the employer would constitute voluntary recognition and give the members of the bargaining unit the protection of labour legislation. In British Columbia, however, the Legislature has attempted to abolish voluntary recognition. The wording of the legislation is sufficiently vague for there still to be some dispute as to whether voluntary recognition is still possible although most local legal opinion is that it is not.

Besides recognizing the Association as the sole bargaining agent, the agreement defines the bargaining unit, provides for check-off of membership dues by the University and contains a no-strike no-lockout clause with provision for binding arbitration. The association is the bargaining agent for the full-time faculty and the professional librarians.

The agreement insists on the duty of both parties to bargain in good faith and make every reasonable effort to reach agreement and lays out the items that may be the subject of negotiation. The major items are as follows:

a) Salaries of all persons for whom the Association is the bargaining agent, excluding emoluments paid for administrative duties such as those paid to Deans, Assistant or Associate Deans, Directors of Schools and Institutes, Heads of Departments, the Registrar, University Librarian and Director of the Centre for Continuing Education.
b) Non-salary economic matters affecting persons for whom the Association is the bargaining agent, including pension plans, medical and dental plans, study leave and other benefits but excluding work load.
c) Procedures relating to appointments, re-appointments, promotion, appointment without term, termination of appointments and appeals.

The agreement contains provision for departments or faculties to bargain for subsidiary salary agreements with regard to market differentials but only after the general agreement has been signed and only according to procedures laid down by the faculty association. There is also provision for non-binding grievance procedures for matters not specifically covered by the collective agreement.

Professor Donald McRae of the Faculty of Law at U.B.C. and President of the Association reported on the U.B.C. plan at the Western Regional Meeting in Lethbridge in September. Although he could not guarantee that the agreement to bargain or the bargain itself had a solid legal foundation, he pointed out that the draft agreement was a marked advance in terms of negotiations and local procedures at U.B.C. and was, in fact, the only viable approach at the moment.

Funding Restrictions for Manitoba and Alberta

The Chairman of the Manitoba Universities Grants Commission has issued a set of guidelines for 1976-77 operating grants which may have severe economic repercussions for universities in Manitoba.

The guidelines state that no funds will be provided in 1976-77 for any net increase in staff, both academic and non-academic. The Commission will only request from the government sufficient monies to allow for an inflationary increase of 12 per cent plus an additional 3 per cent — total 15 per cent for expenditure increases in salaries (maximum individual increase of $2,800 per annum), wages and benefits and to allow for a 15 per cent increase in non-salary expenditures (excluding first claims and grants in lieu of taxes).

In this connection the Grants Commission makes clear it does not anticipate any enrollment increase which could significantly affect university revenues.

Finally, the Commission guidelines state categorically no representation will be made to the government for the purpose of alleviating any deficit for which an institution may budget or actually incur.

The last item presages particular difficulties for the University of Manitoba whose $4 million deficit over the last two years has been partially underwritten by the Grants Commission.

Alberta universities may also be facing severe budgetary restrictions if the provincial government holds firm on announced plans to restrict to 11 per cent increases in grants for health, education and municipalities for 1976.

This compares with the 15 per cent increases accorded by last year's grants. Although health and municipal budgets will also be severely affected, the universities, with no major source of revenues other than the government, would face a critical situation in terms of salaries and staffing.

CAUT AF & T Committee Meets

The CAUT Academic Freedom and Tenure Committee met in Ottawa on September 27-28 to review approximately 40 cases and discuss the following policy issues: the responsibility of the CAUT to provide advocates for faculty members appearing before hearing committees negotiated by CAUT, revision of the proposal for training academic advisors, discussion and comment on the draft document on academic status for university librarians, the threat of libel action against University libraries by the Church of Scientology (in co-operation with the Canadian Library Association), and a submission to the Ontario Human Rights Commission on discrimination on the basis of family relationship. Also discussed was the concept of tenure in Canadian universities, the definition of "academic freedom" for use in collective agreements, a statement of the rights and responsibilities of faculty members whose appointments are terminated for financial reasons, and a notice of motion from the April meeting — that in circumstances where a faculty member has been given a series of limited term appointments equivalent in length to a normal probationary appointment he or she should be entitled to consideration for tenure.

VOS IMPÔTS/ YOUR TAXES

Détermination de la résidence dans le cas de particuliers quittant le Canada.

Bulletin d'interprétation IT-221, en date du 26 mai 1975, remplaçant IT-9.

Le seul changement significatif dans les critères d'éligibilité au statut de non-résidence est la réduction de la période minimale d'absence d'un an à six mois.

La fin du deuxième paragraphe de IT-221 se lit comme suit:

"Si, d'autre part, sa famille quittait le Canada et qu'il ait disposé de bonne foi de son droit à occuper le logement, soit en le vendant, soit en le donnant à bail pour une période correspondant au moins au plus long de six mois et du temps prévu de l'absence du Canada, il sera habituellement réputé être devenu un non-résident."

Determination of Residence for Individuals Leaving Canada.

Interpretation Bulletin IT-221, dated May 26, 1975, replacing IT-9.

The only significant change in the eligibility criteria for non-resident status has been the reduction of the minimum period of absence from one year to six months.

The second paragraph of IT-221 concludes as follows:

"If, on the other hand, his family left Canada and he disposed bona fide of his right to occupy his dwelling here, either by sale or by lease for a time at least equal to the greater of six months and the time of the expected absence from Canada, he would ordinarily be considered to have become a non-resident."

NEWS IN BRIEF

Academic Librarians Included

The Board of Directors of the Association of College and Research Libraries, a division of the American Library Association, voted at their July meeting that academic librarians be included with their faculty colleagues in units for collective bargaining. Such units should be guided by the *Standards for Faculty Status for College and University Librarians* and the *Statement on Faculty Status of College and University Librarians.*

Copies of the Standards and the Statement are available upon request from the Association of College and Research Libraries, ALA, 50 East Huron Street, Chicago, IL 60611.

Majority of U.S. Profs Favour Collective Bargaining

A poll of American university and college professors' opinions on issues confronting higher education was conducted this year for *The Chronicle of Higher Education.*

Seymour Martin Lipset and Everett Carll Ladd Jr. directed the survey, which polled a selected sample of 7800 faculty members at 111 institutions across the United States.

In response to the question: "If an election for a collective bargaining agent were to be held at your institution, how would you vote?", 71 per cent said they would vote for AAUP (American Association of University Professors), AFT (American Federation of Teachers), NEA (National Education Association) or some other agent. Only 29 per cent said they would vote for "no agent".

Guelph Study Shows Inequalities

The President's Task Force on the Status of Women at the University of Guelph has released its report. One major conclusion is that while there are no salary discrepancies at any of the top three faculty ranks, average starting and current salaries for female lecturers are much lower than the average salaries for male lecturers, although the data suggested there was no basis for such discrepancy.

Another major observation is that women tend to spend much longer in the assistant and associate professor ranks (particularly the former) than their male counterparts prior to promotion and the Task Force recommends that the time factors be reviewed to ensure women are not being treated unfairly.

The Report notes that Guelph has made a concerted effort during the last three years to eliminate salary discrepancies between male and female faculty, which accounts for the nominal or non-existent differences in the upper ranks.

Nonetheless, the Task Force recommends that a matched-pair study of males and females be undertaken, using a more refined analysis than the present study, and taking into account relevant information of academic competence, to determine if any individuals are being unfairly treated.

Although faculty salaries appeared equitable, salary discrepancies were found at some levels of non-professional staff and at every level of the professional group, where figures indicate there are differences ranging from $872 to $5,177. Although data is conflicting, and in the opinion of the Task Force needs a thorough review, a major contributing factor is that there are many more men than women in the high salaried positions. The Task Force expressed concern about the low representation of women in both the Registrar's Office and Student Relations and recommended that job descriptions be reviewed, positions of persons in comparable salary grades be reviewed to ensure equity of salary increases and positive steps be taken to increase the proportion of females in administrative positions.

The Task Force also recommended that an individual be given the responsibility to ascertain where the potential problems exist; to develop guidelines; to co-ordinate the efforts of the various individuals across the University with respect to the affairs of women students; and to minotor and report to the President on the progress that is being made in these areas.

Because data indicate a higher attrition rate for women in undergraduate, non-professional programmes and a lower application rate for graduate work than are observed for males, the Task Force recommends the University development an educational and promotional programme aimed at high school students and guidance counsellors to increase applications from women and to encourage them to enter traditionally male-dominated programmes. It also recommends development of counselling services for in-course students to alleviate the unusually high female attrition rate.

Finally, the Task Force recommends the establishment of an appeal mechanism and procedure for staff to allow individuals to appeal either their classification or their position in the salary scale and that such appeal mechanism be made known to all staff. The Task Force was chaired by psychology Professor Norma Bowen.

CAUT Appoints Troika in Atlantic Area

CAUT has appointed three consultant-directors to oversee the work of the Atlantic Office in Halifax — George Wybouw (Moncton) with responsibility for economic benefits, Roger Crowther (St. Mary's) for collective bargaining, Susan Clark (Mount St.Vincent) for librarians and issues pertaining to the status of women. All three have a responsibility for relations with the Maritime Provinces Higher Education Commission. Roger Crowther is Chairman of the committee.

Dalhousie Endorses CAUT Position on Federal Research Policy

The Senate of Dalhousie University passed a resolution on September 15, 1975 on the proposed reorganization by the Government of Canada of federal support for university research. Noting the misgivings expressed by the Committee of Executive Heads of the Association of Universities and Colleges of Canada in 1974, the Senate "endorses the principles invoked in those statements and in the statement of 25 November 1974 by the Canadian Association of University Teachers as to the character to be desired in the reorganized councils and associated agencies." Copies of the resolution will be sent to the Prime Minister and the Minister of State for Science and Technology.

Release of Chilean Academics Sought

The Faculty Association of the University of York passed a motion on September 3 calling upon the Chilean authorities to immediately release from custody and restore to their prior status 44 professors, students and employees of the University of Chile who have been arrested for "Marxist activities" and are in the custody of intelligence agents. According to a New York Times report, even those who are scheduled for release would nonetheless be dismissed from their jobs or expelled from the University. The York resolution requests the Prime Minister of Canada and the Secretary-General of the United Nations to intervene at once with the Chilean authorities to secure the release and reinstatement of these individuals.

CAUT Appoints New Collective Bargaining Officer

The Canadian Association of University Teachers has appointed Mr. Ronald Douglas Lowe to the position of Professional Officer for Collective Bargaining for the Association.

Mr. Lowe joins the CAUT Ottawa staff after serving with the Department of National Revenue as an auditor and income tax returns assessor. He has also worked for CP Air as a travelling auditor responsible for audit functions and projects in Canada and abroad.

Mr. Lowe holds a Bachelor of Commerce degree from the University of British Columbia, where he is currently completing his masters degree in industrial relations. His work has been in the area of professional and white collar trade unions.

He will be joining the CAUT staff in early September and is expected to be posted to Edmonton in the near future.

Status of Women

Collective Bargaining May Be Key to Improvement

by Carolyn Masleck

Western corresponding members of the CAUT Committee on the Status of Women Academics met in Lethbridge on September 18 to review progress made since last year's meeting and discuss future action.

Reports by the members on activities at individual universities indicated that collective bargaining may provide the strongest framework for bringing changes in women's status. The presence of women's caucuses on campus helps pave the way for acceptance of the importance of women's rights and the necessity of incorporating them into contracts, delegates were told by Committee Head Margret Andersen.

But, she emphasized, women must organize to ensure they get what they want and not feel that the mere fact of collective bargaining will automatically improve their status.

Reporting on the settlement at University of Manitoba, Professor Beverly Tangri noted that women were involved at all stages of the protracted bargaining process and were represented on the negotiating team.

The Manitoba contract includes clauses prohibiting discrimination on the basis of family relationship and provides for the creation of a $100,000 anomalies and women's inequities fund to redress lower salaries paid to women academics and librarians.

However, CAUT Executive Secretary Donald C. Savage pointed out that protection through contract is of greatest value when those groups most discriminated against in terms of salary are included in the bargaining unit. He noted the CAUT position, adopted by Council, states that faculty associations should include as members, professional librarians and sessional lecturers who are hired on a contractual basis but teach full-time (defined by CAUT as two or more courses).

Both these groups contain a disproportionate number of women. Professor Savage emphasized it is advantageous to *all* faculty to grant them association membership because, he said, "In time of a financial squeeze universities will expand the number of sessional lecturers. Once the bargaining unit includes all full-time faculty," he continued "universities cannot invent new categories (to circumvent agreements which define the bargaining unit by title rather than job description)."

The corresponding members heard reports on status of women studies which have been done at several western universities, including Winnipeg, Regina and Alberta and U.B.C. Studies will also be undertaken at Saskatchewan and Calgary.

Matched Pair Studies

Professors Andersen and Savage both reiterated the need for matched-pair salary studies as the only clear way to determine where inequities exist, since group averages contain many extenuating factors which can mask inequities and make accurate assessment of differentials difficult.

Professor Savage recommended the Rutgers University study as a model for those universities contemplating initiating matched-pair studies. It is the most detailed done to date, he said, bearing in mind that it deals with race as well as sex of those paired.

Professor Savage also said that it should be made clear to women faculty that matched-pair studies "are not a guarantee of salary increase. The chances are," he said, "that younger staff would not gain much provided they were hired at an appropriate rank, and that older professors would gain more."

Past experiences with matched-pair studies on some Canadian campuses indicate that women are sometimes hesitant about volunteering to have their salaries individually examined for fear of repercussion from their department chairmen. It was thus recommended that all salaries should be examined in any study unless a professor specifically asks to be excluded.

Professor Savage told the delegates it is crucial for the structure of the study to be clearly negotiated with the Administration.

"There should be a written agreement on composition of the committee doing the study," he said, "and on the information to which they will have access." This information should encompass rank, degree, years from first degree, years from highest degree and years since last promotion (including years in previous rank),

The corresponding members passed a motion that they would "continue to lobby universities and faculty associations to undertake matched-pair studies in this academic year."

Unisex Mortality Tables

The meeting also passed a motion endorsing the national Committee position that CAUT should make representations to the federal government to incorporate in its Human Rights legislation the use of unisex mortality tables in the calculation of pension benefits.

Professor Savage noted that the British Columbia government is about to review the whole question of pensions and the local faculty associations, the provincial association (CUFABC) and CAUT will lobby the B.C. government to ensure equal payouts in pensions.

The corresponding members also discussed the adequacy of existing maternity leave provisions, and heard a report from Gordon Unger, University of Alberta faculty association Executive Secretary, on that institution's plan. It fulfills the CAUT guidelines of providing three months leave with full pay, but only for child-birth, not adoption. There is also a $25,000 fund (cut from salary adjustments) for departments to hire replacements where necessary.

As an interim solution, the meeting endorsed the national Committee position that employers should be allowed to make lump sum payments to women returning from maternity leave to make up the difference between salary and unemployment insurance payouts which are generally only two-thirds of salary.

There was also discussion of career patterns for women academics, which centred on the tendency for women to be hired at lower ranks than their male counterparts and to spend longer in each rank before being promoted (a tendency noted in the recently completed University of Guelph study).

The members also noted statistics which indicate fewer women apply to and enter graduate schools, especially in the professions. The consensus was that career choice and patterns are determined in elementary and high school, before women ever reached university. Members examined material prepared by the University of Alberta Women's Club (which has been highly active in articulating issues of concern to women academics) on role models for women students. They have prepared videotapes and a booklet of biographies of career women.

The meeting passed a motion urging local women's caucuses "to approach guidance counsellors and schools with appropriate material on role models" to encourage female students to broaden their perception of available career choices.

YORK UNIVERSITY
TORONTO
Department of Physical Education & Athletics

The Department of Physical Education & Athletics of York University is seeking applicants for the position of Chairman and Director for an appointment beginning 1 July 1976.

A constituent Department in both the Faculty of Arts and the Faculty of Science, this Department comprises thirty-four full-time faculty members and serves 470 Honours students in Physical Education as well as 600 students from other disciplines. A Graduate Programme in Physical Education will commence in September 1976. In addition to the academic duties, this position includes responsibility for York's athletic and recreation programmes, and the supervision of a large multi-faceted facility. Academic rank and salary are open.

Enquiries, nominations and applications should be sent to Professor N.S. Endler, Chairman of the Search Committee, Department of Psychology, York University, 4700 Keele Street, Toronto, Ontario M3J 1P3.

Discrimination and Traditional Patterns Evident in Studies of Ontario Colleges and Universities

by Carolyn Masleck

Council of Universities Study

The Council of Ontario Universities (COU) recently released a report on The Status of Women in the Ontario Universities, which examines data on women both as students and members of full-time teaching staff and the actions taken or planned by Ontario universities in respect of this issue.

The study cites Statistics Canada figures which show that although the percentage of women undergraduates at Canadian universities increased over the past 50 years from 15 to 36 per cent, during the same period the percentage of women graduate students declined from 26 to 23 per cent.

The COU figures show that among students, the higher the level of study the lower the participation rate for women. At the undergraduate level, women make up 38 per cent of the total, at the masters level 25 per cent and at the doctorate level 18 per cent. The only exception to this downward trend was in the faculties of law, medicine and dentistry where the participation ratio for women is higher at the masters level than at the undergraduate level.

Data culled from the Ontario University Application Centre showed that as of September 1973, 41 per cent of university applications were from women but broken down by faculty the figures showed:

	(% of total applications)
Arts	51%
Science	29%
Education	73%
Nursing	97%
Commerce	23%
Engineering and Applied Science	4%

In other words, women tended to apply in traditional areas of study rather than in the professional programmes. Although the COU report found no evidence of discrimination in the admission practices of Ontario universities, it suggested universities could examine their promotional and liaison practices to ensure that the benefits of university education for women are stressed and to point out the opportunities for women existing in other than "traditional" areas.

The participation of women as members of the full-time teaching staff in the Ontario universities is examined using statistical reports for the academic year 1973-74 from the Statistics Canada University Faculty Salary Analysis System. Staff on sabbatical leave were included in the figures but staff on other leave, staff below the rank of lecturer and visiting and other staff were not included. Also excluded were staff in medicine and dentistry, (excluded because of the distortions produced by their salaries).

The report found that not only were there far fewer women than men teaching on a full-time basis but also their average salaries were below the comparable average for men. Only women lecturers with doctoral degrees showed a higher average than did their male counterparts. The totals show that average salary for women was fully 25 per cent below the average salary for men.

The following figures show the percentage distribution of full-time staff in each rank:

	Men	Women
Full Professor	28%	7%
Associate Professor	34	26
Assistant Professor	31	41
Lecturer	7	26

In other words, two-thirds of the men are in the top ranks, while only one-third of the women are in the top ranks. The inequality in rank representation probably accounts for much of the differences in average salaries.

The study notes that some variables, such as workload and responsibility could not be determined from existing data but the over-representation of men in the high administrative ranks was also a factor in inflating average salaries for men.

However, even after accounting for a significant portion of the salary differential between men and women a residual salary differential still does remain. In order to completely settle any questions of discrimination on the part of the universities relating to hiring, promotion and salary policies, the report says, it would be necessary to conduct more studies in depth at each university on the effects of years of teaching and research experience.

The report notes that there was a general belief on the part of the universities that no conscious discrimination existed in the recruiting, hiring, remuneration, promotion and granting of tenure to

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CAAT Study

A recently completed study on Women and the Colleges of Applied Arts and Technology contains strong evidence that women are still being geared into traditional female areas of study, and are discriminated against in terms of salary, promotion and hiring.

The report was compiled by Lesley Lewis, an independent consultant, for the Ministry of Colleges and Universities. Ms. Lewis' basic priority was to determine where anomalies exist between the situations of men and women in the colleges and to suggest an action plan to correct any anomalies found.

She found the statistical picture for students a very stereo-typed one. Female students tend to enrol predominantly in Arts, Health and Business programmes. Less than 10 per cent of students in the Technology Division are women. Women in the Business Division tend to congregate in secretarial programmes. The study also found that although approximately one half of all students in the CAATs are women, if those in one year programmes and Health courses are excluded, the percentage of the student body that is female drops to 34.9 per cent.

According to the Report, 43.1 per cent of the staff (academic and non-academic) are women. In all categories, average female salaries are much lower than average male salaries. Examination by sub-category in the teaching and academic fields reveals that women are underrepresented, particularly at senior levels and that in subcategories women also receive less money than men.

The Report notes, however, that average salary statistics can give a distorted picture because variables which influence salary such as age, experience and previous education cannot be averaged out on a province-wide sample. It is recommended, therefore, that studies be undertaken at individual institutions where comparisons on a one-to-one basis would indicate more clearly the extent of salary differentials for men and women.

In terms of principal subject taught, the study found a similar pattern to that detected within the student body. Not only are students enrolled in stereo-typed programmes but the staff, engaged in teaching the programmes serve only to complete the stereo-type.

"It becomes apparent," Ms. Lewis writes, "that women wishing to enter non-stereo-typed fields of study will find no role models within the ranks of the college staff."

To alter this pattern, the Report recommends that colleges, in consultation with the Women's Programme Coordinator of the Ministry of Colleges and Universities and in co-operation with the Ministry of Education undertake an Outreach programme related to the removal of traditional sex stereo-types for occupations. Such a programme would be aimed in particular at high school students, guidance counsellors, college advisors and local employers. Special efforts should be directed at young women to encourage them to consider a career in technology.

In addition to analysing data collected from the colleges, Ms. Lewis interviewed staff at sample institutions, selected to ensure representation by location, size of community and existence of women's programmes.

Many women staff interviewed voiced objections to a system of hiring and promotion which often did not consider women presently within the college, and cited examples of section heads being promoted from within the college if a man was available but of search committees going outside if all qualified personnel for the post from within were women.

Complaints were also voiced on the tendency in some colleges for advancement within categories to be based on personal as opposed to professional criteria.

The Report also expresses concern over the existence in many colleges of anti-nepotism rules governing hiring, and recommends that those colleges which have either formal or informal rules against hiring members of the same family should consider eliminating them.

Other major recommendations of the Report are that the Council of Regents make special efforts to fill future vacancies on Boards of Governors with qualified women until such time as women are adequately represented; that each President in consultation with the Board of Governors assign responsibility and identify one individual with a specific mandate to co-ordinate, design and implement actions pertaining to the status of women and that each college be required to initiate and carry out a status of women study under the leadership of the Internal Women's Advisor to be completed within nine months of implementation of the Report. The Report also recommends that all colleges be required

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Collective Bargaining, Federal Funding and Copyright Major Topics at Western Regional Meeting

by Carolyn Masleck

Faculty Association Executive officers from eleven western universities met in Lethbridge on September 19-20 at a conference sponsored by the University of Lethbridge Faculty Association in conjunction with the CAUT. Delegates from Manitoba, Saskatchewan, Alberta and British Columbia exchanged information and discussed common problems.

Professor Donald Savage, Executive Secretary of the CAUT, spoke on federal funding of universities and research. He pointed out that the 1967 federal-provincial accords on cost-sharing, by which the federal government pays as much as 50 per cent of the operating costs of universities through grants to the provinces, will expire in March 1977.

It is imperative, he said, for faculty associations to lobby both federal and provincial governments for adoption of the CAUT guidelines[1] on funding of universities and research. He noted that current constitutional interpretation would probably prevent the federal government entering into a program of direct funding of universities, one of the suggestions put forth in the Guidelines, but some arrangement must be worked out to ensure the amount and distribution of federal funds to universities will not depend on provincial decisions.

Politics of Collective Bargaining

Professor Roland Penner, Chairman of the CAUT Collective Bargaining Committee, started the discussion on bargaining by emphasizing that the collective bargaining process is not at heart an adversarial one. "It becomes," he said, "an occasion for dialogue, for resolution of problems, and adds real content to the phrase 'shared authority'."

He outlined what he termed "the politics of collective bargaining", the need to establish a broad union of faculty association membership around the issues, to involve them in the decision-making at all stages of the bargaining process. He spoke of the need to secure allies among members of the university senate and other governing bodies, to keep them informed on the state of negotiations so their influence with the university will be informed and positive rather than negative.

He said there is a need for faculty associations at universities where collective bargaining is going on to lobby provincial grants' commissions to ensure the contract agreement holds meaning and that money will be available to meet the negotiated settlement.

Referring to the period after an agreement has been reached, Professor Penner said a full-time individual is needed to administer the agreement. "Otherwise," he noted, "the faculty association can lose sight of the role it must play with the Board, its role in governance and in the CAUT. There is possibility of losing sight of these goals and focusing instead on the bureaucratic function of contract overseer."

Delegates exchanged information on contract settlements at their respective universities, heard a report on the state of negotiations at Notre Dame of Nelson and the University of British Columbia, where talks are proceeding on a draft agreement for collective bargaining outside the Labour Code.

CAUT and Local Associations

Also discussed was the relation of CAUT to local and provincial associations. Professor Savage spoke of "the crucial issue of manpower" and the critical need for professional full-time help in collective bargaining and government lobbying. He informed delegates that the CAUT Collective Bargaining Committee has agreed to recommend the creation of a CAUT training programme for lay advocates in grievance and arbitration procedures so that there would be less reliance on lawyers. The programme would be available to certified and non-certified associations.

CAUT President David Braybrooke reported on relations with FAPUQ (La Fédération des Associations de Professeurs d'Université du Québec). Since the FAPUQ Council meeting in May, which was attended by visitors from CAUT, two sets of informal discussions have taken place and more are scheduled for October. He said the leadership of FAPUQ, backed by its Council, favours re-establishing formal relations with CAUT providing a mutually satisfactory arrangement can be reached which grants FAPUQ a special status in light of its role within Quebec.

There was a report from CAUT's Status of Women Academics Committee Head Professor Margret Andersen. Professor Andersen told the delegates that since its inception five years ago, the Committee has worked to improve conditions and opportunities for women in Canadian universities. In conjunction with the Executive, it has produced guidelines on maternity leave and non-discrimination on the basis of family relationship. Through its corresponding committee members on individual campuses it has pushed for detailed examination of university practices in hiring, promotion and salary levels for women academics. Professor Andersen informed the conference that four universities have completed such studies and two others are in the process. The Committee is also planning to lobby the federal and provincial governments, under the auspices of CAUT, to legislate the use of unisex mortality tables in the calculation of pension benefits.

A workshop on fringe benefits was conducted by Gordon Unger, Executive Secretary of the University of Alberta faculty association. He said that 33 per cent of the payroll costs of universities goes to support fringe benefit plans, but the topic has not received a proportionate amount of time and attention in consideration of the adequacy of such plans. It is essential to determine, he said, if the coverage is really related to the needs of the members and the costs are equitable. It is equally important to ensure that the benefit programme has been adequately communicated to the members of the faculty association.

Because of the current crisis in pension funding, Mr. Unger said, it is crucial for associations to determine how the university pension plan is funded, who at the university is responsible for pension plan arrangements, and to have someone in their association who can read and understand contracts.

ETV and Copyright

Problems involving obtaining copyright over material produced for educational television was also discussed with David Weller of ACTRA and Professor Savage coordinating. Professor Savage told the conference that the advent of ETV has made the issue of copyright a significant one. He said it is up to local faculty associations to negotiate in collective agreements or on a special basis with the universities to ensure there is a special policy governing production. All contracts should specify the creator's right to ownership, content and usage.

Mr. Weller reported on a recent meeting of the member organizations of the Saskatchewan, Alberta and Ontario Associations of Artists and Educators, where discussion centred on future relations and actions regarding ATEC (the Association for Tele-Education in Canada). Following discussions of the make-up, aims and objectives of ATEC (which is a recently formed consortium of provincial ETV agencies) it was agreed that a committee comprised of representatives from ACTRA, CAUT and CTF (Canadian Teachers Federation) and chaired by David Weller will arrange to meet with ATEC early this fall to explore areas of mutual concern.

[1] *Published in February 1975 Bulletin.*

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academic staff. Nevertheless, it was also the feeling of a number of universities that special measures were required in recruiting and hiring for new faculty positions to ensure that every effort was made to attempt to increase the representation of women.

Recommendations were also made that special effort be made to increase the representation of women students, particularly in programmes which women do not currently consider, and that university policies should be flexible enough to permit students to pursue either full or part-time studies, especially at the graduate level.

CAAT... *from p. 7*

to file with the Ministry of Colleges and Universities and the Women Crown Employees office a written affirmative action plan within six months of implementation of the Report, including objectives, goals and time-tables concerning the elimination of anomalies between the status of their male and female employees and students.

Although the Report suggested financial penalties for those institutions which did not file affirmative action plans within the prescribed six months, Education Minister James Auld rejected the recommendation as one which would "impact ultimately on the students" in a negative way.

Collective Bargaining in the Maritimes

Saint Mary's
Faculty: There has been one meeting with the conciliator. A further meeting has been scheduled. No comment on state of negotiations.

Librarians: One meeting with conciliator. Each side is presenting new positions at a further meeting on September 18th. The librarians negotiations are being conducted separately from faculty.

St. Thomas
As previously reported the Court of Appeal ruled that there was no repugnancy between the Industrial Relations Act and the St. Thomas University Act with respect to Collective Bargaining. *(See September Bulletin)*

The Industrial Relations Board will meet on 23rd of September on application for certification.

Regarding the FAUST alleged unfair labour practice, the Committee of the Faculty Council which had been negotiating with the University has ceased operations.

The Association (FAUST) is now considering withdrawal of the unfair labour practice charge.

College of Cape Breton (Sydney, N.S.)
The Faculty Association has negotiated an agreement with the University providing for:

1. University recognition of the Faculty Association as exclusive bargaining agent for faculty, librarians and certain technicians
2. A one year agreement providing for across the board increase plus COLA. The minimum increase irrespective of the rate of inflation will be 15.5%. A copy of the agreement is being sent to CAUT.

University of Prince Edward Island
The faculty association is negotiating an informal agreement and simultaneously exploring alternative forms of bargaining that might be pursued should present negotiations turn out unsatisfactory.

Memorial University
MUNFA is examining possible constitutional changes to make the association eligible for recognition as a trade union under the Newfoundland Labour Relations Act.

Collective Bargaining Committee Meets"

The CAUT Collective Bargaining Committee met in Ottawa September 12-13. At the request of the Executive, the Committee discussed its mandate and recommended that from now it should comprise any collective bargaining which involves recognition of the association as an exclusive bargaining agent and the creation of an agreement whereby there is a mechanism for the trial resolution of disputes such as arbitration which would substitute for the unilateral power of boards of governors.

The Collective Bargaining Committee heard a report on the clause finder and expects publication this fall of chapters on tenure (Don Savage), management rights (Ken Swan, Queen's), and copyright (Jack House, OISE). It commissioned chapters on financial exigency (Jill Vickers, Carleton) and various aspects of salary policy including career progress, merit, market differentials (co-ordinator Mark Thompson, UBC).

The Collective Bargaining Committee agreed to recommend the creation of a CAUT training programme for lay advocates in grievance and arbitration procedures so that it would not have to rely on lawyers. This programme would be available to certified and non-certified associations. Detailed arrangements would be discussed at the next meeting. The Committee also agreed in principle that it would support seminars on bargaining techniques and will receive a more detailed report at its next meeting.

RESOLUTION

Passed by Collective Bargaining Committee of CAUT
at its meeting of September 12-13, 1975.

The following resolution is intended to clarify the definition of collective bargaining, emphasizing that certification of faculty associations is not a prerequisite to entering into collective bargaining with the universities.

Pending further study on a comprehensive definition of the term "collective bargaining", CAUT, in addition to its support for legal-status collective bargaining, is prepared to support as "collective bargaining" under its Collective Bargaining Guidelines, any arrangement between a Faculty Association and a University which meets, as a minimum, the following criteria.

1. The Faculty Association must be the exclusive bargaining agent for the agreed bargaining unit
2. The agreement to bargain must contain, within it, a provision that, where no agreement is reached on an issue and in the absence of a right to strike, the parties accept a defined form of impasse resolution which is binding on them.*
3. As a minimum, the agreement which will be bargained must contain a recognition clause and a comprehensive grievance-arbitration clause, pursuant to which the finding of an arbitrator or arbitration board is binding on the parties.

CAUT cautions local associations, particularly in jurisdictions where there is no statutory protection given to voluntary arrangements, that there are serious questions as to the legal enforceability both of an agreement to bargain and the bargain itself and that both local and CAUT legal advice should be sought before entering into any such agreement.

This interim definition does not preclude CAUT support and assistance to regional and province-wide bargaining.

* It is questionable whether any legal right to strike exists in non-legal status collective bargaining.

RÉSOLUTION

Adoptée par le Comité de la négociation collective de l'ACPU
à sa réunion des 12 et 13 septembre 1975.

L'objet de cette résolution est de clarifier la définition de la négociation collective et de mettre l'accent sur le fait que l'accréditation des associations de professeurs n'est pas un pré-requis pour entamer des négociations collectives avec les universités.

En attendant qu'une étude plus approfondie soit faite sur la définition des termes "négociation collective", l'ACPU, en plus de se déclarer en faveur de la négociation collective à statut légal, est prête à considérer que les termes "négociation collective" utilisés dans ses directives touchant la négociation collective englobent tout accord entre une association de professeurs et l'université qui répond au minimun aux critères suivants:

1. L'association des professeurs est le seul agent négociateur de l'unité de négociation agréée.
2. La décision de négocier doit comporter une clause selon laquelle si aucun accord n'intervient sur une question particulière, en l'absence du droit de grève, les parties s'entendent sur une forme de règlement sans appel du conflit.*
3. L'accord à négocier doit comporter au minimum une clause de reconnaissance et une clause portant sur les griefs et l'arbitrage selon laquelle la décision de l'arbitre ou de la commission d'arbitrage est sans appel pour les deux parties.

L'ACPU met en garde les associations locales, en particulier celles qui relèvent de juridictions où il n'existe aucune protection statutaire pour les accords à l'amiable, sur le fait qu'il n'est pas du tout sûr qu'il soit légalement possible de faire mettre en application une décision de négocier ou le contrat négocié lui-même et qu'il faudrait donc obtenir l'opinion d'un juriste sur place et auprès de l'ACPU avant de signer un accord de cette nature.

Cette définition provisoire n'exclut en rien l'aide et le soutien que peut fournir l'ACPU dans les négociations à l'échelle régionale et provinciale.

* Il n'est pas du tout certain que le droit de grève existe légalement dans le cas d'une négociation collective n'ayant pas un statut légal.

Dental Insurance Report / Rapport sur l'assurance Dentaire

Georges Frappier

This is an excerpt from the CAUT dental health plan survey completed in August of this year. Complete copies have been sent to local and provincial faculty associations.

During the academic year 1974-75, CAUT conducted a survey on dental insurance plans in various kinds of institutions; universities, community colleges, teachers' associations, and some industries, in an effort to determine the state of current dental health insurance plans and give local associations the basic concept if they ever wish to move in this area.

There is increasing public awareness of dental insurance, brought on by government entry into this area. Quebec already provides limited care for children under nine years of age. Some other provinces are moving in this direction. Still it seems that it will be quite a long time before comprehensive programs will be implemented. Meanwhile, private institutions are moving ahead within many organizations under the pressure of union demands.

The spread of collective bargaining in universities and colleges will probably mean inclusion of a dental plan will be among the fringe benefits sought in contract negotiations. Dental plans are already in existence at several Canadian universities, among them: Calgary, Cape Breton, Trent, U.B.C., York and Montréal.

As an overall impression, it seems that the best way to implement a dental plan is at the level of the institutions themselves where the participation of the employer in the costs involved can be negotiated. Since the dental insurance premium paid by the employer is classified as a non-taxable benefit to the employee it should be arranged so that the employer pays 100% of this premium, leaving the employee with the payment of those premiums which would be taxable benefits (Provincial health insurance plans and group life insurance for amounts in excess of $25,000).

One of the most important factors in determining dental health plans is the calculation of the premium, which is generally based on the following factors:

Determination of the Premium

The insurance premium for a plan depends on such things as the number of employees, location, whether the area has a fluridation scheme, and the ages of subscribers. Because of these factors, a plan may cost differently in different groups. Furthermore, in order to reduce and to control costs, insurers usually use some of these limitations:

1. Eligibility, or enrollment: Since the use of dental services is largely elective, a totally optional plan would result in the participation of only those who are in a real need of these services, and the premium would be quite high. As a consequence, insurers usually require that a group participates as a whole or at least that a certain percentage, usually 75%, of the members enroll in the plan. Sometimes there is also a minimum number of persons required in a group; this number may be as low as ten persons. As a result of this limitation, it appears that to encourage employees to accept a dental plan, the employer has to pay all or a large proportion of the premium.

(A) Participation in a dental plan

UNIVERSITIES	PERCENTAGE PAID BY EMPLOYER	ENROLLMENT
U.B.C.	50%	75% of the staff had to join: compulsory for new members.
Brock	100%	
Calgary	around 60%	full-time staff: compulsory dependents: optional
Cape Breton	for singles: 77% for families: 56%	
Trent	100%	

2. Types of service coverage: There are usually two or or three types of dental insurance plans:
   - — basic plan only: this usually includes diagnostic, preventive therapy, oral surgery, restorative dentistry, endodontic (treatment of diseases of the pulp chamber and pulp canals), and periodontics (treatment of diseases of the tissues and bones supporting the teeth).
   - — basic **plus** prosthetics (artificial replacement for lost teeth).
   - — basic, prosthetics **plus** orthodontics ("straigntening the teeth").

   Of course, the more comprehensive a plan is, the more it costs. Furthermore, everybody would usually use the basic coverage while only a portion of the participants would feel a need for the more special services. For this reason, it seems that a group of employees tends to buy only what the majority would use (basic plan) unless the employer is willing to pay for a more comprehensive plan.
3. Co-insurance and Deductibles: The former is an arrangement where the insurer and the beneficiary are each liable for a share of the cost of dental services provided; the latter is a specified cost that the beneficiary must pay before the payment of benefits begins. These two limitations can be specifically applied to each of the different types of dental insurance. If these limitations are too heavy for the employees, they will not encourage regular visits to the dentist, and thus will probably cause more costly dental repairs later.
4. Incentives: Co-insurance may be graduated downward each year as to the percentage responsibility of the beneficiary, provided dental care is sought annually. This device encourages regular dental care, good dental hygiene, and thus low costs year after year.
5. Maximums: A maximum dollar limit may be imposed, yearly or for lifetime, on any of the types of dental insurance. A maximum number of visits to the dentist may also be imposed on an annual basis. These limits have no merit but to lower the premium.
6. Fee Schedule: Dental plans usually base their benefits on the current fee schedule of the appropriate provincial Dental Association. Costs over the schedule are then the responsibility of the employee.

Because of all these limitations, it becomes difficult to compare premiums from one institution to the other. It remains that a group seeking a plan should make clear what it wants and shop around by asking quotations from different carriers.

There are some difficulties to be considered in employers instituting dental insurance coverage. The University of Alberta experimented with a dental plan for a two-year period from January 1, 1971 through December 31, 1972. The plan was terminated when it became apparent it would face a severe loss of members, which would then have had the spiralling effect of driving the premiums up to an exorbitant level.

Although the plan had been enthusiastically received by those members of the staff who elected to join, many members of the Association of Academic Staff (AAS) felt that the premiums were higher than their anticipated dental expenses for the year and therefore, did not join. Over the two-year period there was a gradual attrition of members for various reasons, and, finally, there were several substantial increases in the fee schedule; increases that were not matched by increases in the reimbursement that was available under the dental plan because of its two-year character. Hence, instead of paying 75 per cent of all claims, the actual percentage declined.

From his knowledge of the University of Alberta experience with dental plans, AAS. Executive Secretary Gordon Unger recommended that the following points be carefully examined where dental plans are being considered:

a) The bulk of the premium should be paid by the employer, not by the employee.

b) The plan should be compulsory for all members, otherwise negative selection will make it unworkable.

c) The plan should probably include full coverage for basic dental costs and reduced coverage for restorative costs. Our plan faced a number of very high claims where major mouth reconstruction was undertaken. Even though we had included orthodontia at only 50 percent of repayment, these expenses were also significant.

d) The plan designers should recognize that dental insurance is in the long run not an insurance programme like others. It is rather the prepayment of dental expenses or the regularized payment of dental expenses over a long period of time. Since many of these expenses can be planned for by individuals, persons may not find it necessary to insure against unexpected occurences. Nevertheless, we have found that those persons who do have high continuing dental costs appreciate the opportunity of paying for these on a regular basis and sharing the costs with their more fortunate colleagues.

Ceci est un extrait du rapport de l'ACPU sur l'assurance dentaire. Le rapport, qui parut au mois d'août a été envoyé aux associations locales et provinciales de professeurs.

Au cours de l'année universitaire 1974-75, l'ACPU a fait une étude des régimes d'assurance-dentaire dans diverses institutions: universités, collèges communautaires, associations de professeurs et certaines industres afin de déterminer la situation dans ce domaine et de fournir aux associations locales les concepts de base nécessaires si elles désirent s'engager dans cette voie.

Le public est de plus en plus averti à propos de l'assurance dentaire, maintenant que le gouvernement s'en mêle. Le Québec couvre déjà dans une certaine proportion les soins dentaires pour les enfants de moins de neuf ans. D'autres provinces s'engagent dans cette voie. Il semble cependant qu'il faille encore un certain temps avant que des régimes complets d'assurance dentaire puissent être mis en application. Dans l'intervalle, des institutions privées se lancent dans ce domaine, ainsi que de nombreux organismes, sous la pression des syndicats.

Avec la tendance à la syndicalisation dans les universités et les collèges, il est probable qu'on négotiera de plus en plus l'inclusion d'un régime d'assurance dentaire dans les conventions. On retrouve présentement un tel régime dans plusieurs universités, entre autres: Calgary, Cape Breton, Trent, U.B.C., York et Montréal.

Il semble que ce soit au niveau des institutions elles-mêmes qu'il soit le plus intéressant d'élaborer un régime d'assurance dentaire car c'est là que la participation de l'employeur peut être négociée. Étant donné que la prime d'assurance dentaire payée par l'employeur constitue un avantage social non imposable pour l'employé, il est possible de faire en sorte que l'employeur verse 100% de la prime et ne laisse à la charge de l'employé que le paiement des primes correspondant aux avantages sociaux imposables (régimes d'assurance-maladie provinciaux et assurances-vie de groupe supérieurs à $25,000).

L'un des facteurs les plus importants dans la détermination d'un régime d'assurance dentaire est le calcul de la prime, qui est sujette aux considérations suivantes:

Calcul de la prime

Le montant de la prime d'assurance dépend de nombreux facteurs comme le nombre des employés, le lieu, le fait que la région possède un plan de fluoration et l'âge des souscripteurs. Il découle de ces nombreux facteurs que le prix du régime peut varier d'un groupe à l'autre. D'autre part, afin de réduire et de contrôler le coût du régime, les assureurs imposent habituellement certaines des restrictions suivantes:

1. Éligibilité ou inscription: étant donné que l'utilisation des services est surtout facultative, un régime facultatif complet n'attirerait que ceux qui ont réellement besoin de ces services et la prime serait très élevée. Par conséquent, les assureurs exigent habituellement la participation de tous les membres d'un groupe ou au moins d'un certain pourcentage d'entre eux, habituellement 75%. On exige également parfois un nombre minimum de personnes dans un groupe; ce nombre peut descendre jusqu'à dix personnes. Il découle de ces restrictions que, pour encourager les employés à accepter un régime d'assurance dentaire, l'employeur doit assumer tout ou une forte partie de la prime d'assurance.
2. Type de protection: il existe en général deux ou trois types de régimes d'assurance dentaire:
   - régime de base seulement: comprend les services de diagnostic, la thérapie préventive, la chirurgie buccale, les traitements fortifiants, l'endodontique (traitement des inflammations de la pulpe dentaire) et la périodontique (traitement des maladies des tissus et des os qui soutiennent la dent).
   - régime de base **plus** prothèse (remplacement artificiel des dents perdues).
   - régime de base plus prothèse **et** orthodontique (redressement de la dent).

   Bien entendu, plus un régime est complet, plus il coûte cher. D'autre part, tout le monde utilise habituellement la protection de base alors que seule une partie des assurés aura besoin de serviees plus spéciaux. Pour cette raison, il semble qu'un groupe d'employés a tendance à n'acheter que ce dont la majorité des participants aura besoin (régime de base) à moins que l'employeur ne soit disposé à payer ce qu'il faut pour un régime plus complet.
3. Co-assurance et déductibles: dans le premier cas, l'assureur et l'assuré sont responsables d'une partie des frais des services fournis; dans le second, l'assuré doit verser personnellement un certain montant avant de pouvoir commencer à toucher des prestations. Ces deux types de restrictions peuvent s'appliquer à tous les types de régime d'assurance dentaire. Si ces restrictions sont trop lourdes pour les employés, elles décourageront ces derniers de rendre visite régulièrement au dentiste, ce qui risque d'entraîner des frais de soins dentaires encore plus élevés par la suite.
4. Encouragements: la co-assurance peut être diminuée chaque année en ce qui concerne le pourcentage de responsibilité

Suite à la page suivante

(B) Some Examples of Dental Plans Details

INSURER	TYPE OF PLAN	PREMIUM RATE	MAXIMUM	CO-INSURANCE
MSA in B.C.	A — Basic B — Prosthetic C — Orthodontic	Single: 5.10 With 2 dependants: 14.48	750/life	70% 50% 50%
	Participants: U.B.C.; Capilano, New Caledonia and some locals of teachers also chose MSA but the details of their plans are somewhat different.			
London Life	basic restoration orthodontic	Single: 8.04 Married: 24.72		100% 50% 50%
	Participants: Malaspina College.			
Alberta Dental Service Corporation	I — Basic restoration & Prosthetic II — orthodontic	Single: 10.70 With 2 dependants: 30.00	500/life	up to 80% up to 50%
	Participants: University of Calgary			

(C) Sample Premium Rates*

* *Because premium rates vary widely depending on local conditions, the following sample rates are not to be taken as model rate scales.*

INSURER	TYPE OF PLAN	PREMIUM RATE	CO-INSURANCE
Ontario Blue Cross	#7 (basic)	Single: 4.93 family: 10.02	
	Participants: some locals of teachers, steel and auto workers; Trent University also participates but with the fee schedule of 1970 and with a lower premium.		
Delta Dental plan of Ontario	preventive	Single: 4.38 Family: 9.85	
	Participants: Brock University		
Maritimes Blue Cross	medical & basic dental	Single: 6.50 Family: 15.95	80% to 100%
	Participants: Cape Breton College.		

... *suite de la page*

du bénéficiaire, à condition que ce dernier fasse une visite chez le dentiste chaque année. Cette méthode a le mérite d'encourager l'hygiène dentaire et buccale et de permettre de maintenir des prix bas d'une année à l'autre.

5. Maximum: un montant maximal peut être imposé, par année ou pour la vie sur tous les types de régime d'assurance dentaire. On peut également imposer un nombre limite de visites chez le dentiste chaque année. Ces restrictions n'ont pas d'autre mérite que de baisser le montant de la prime.
6. Barème d'honoraires: les régimes d'assurance dentaire basent le calcul de leurs prestations sur le barème courant des honoraires de l'Association dentaire provinciale appropriée. Les frais qui dépassent le taux fixé par le barème sont alors laissés à la charge de l'employé.

À cause de ces restrictions, il est difficile de faire une comparaison entre les différentes primes, d'une institution à une autre. Il demeure qu'un groupe qui cherche à participer à un régime doit préciser ce qu'il désire et demander les barèmes à divers assureurs.

Il y a des difficultés à considérer lorsqu'un employeur songe à implanter un régime d'assurance dentaire. L'Université d'Alberta a expérimenté un tel régime sur une période de deux ans, du 1er janvier 1971 au 31 décembre 1972. On a mis un terme au régime lorsqu'on s'est aperçu qu'on allait faire face à une perte considérable de membres, ce qui aurait eu pour effet de faire grimper les primes à un niveau exorbitant.

Ceux qui avaient décidé de se joindre au régime en étaient complètement satisfaits; par contre, les autres n'ont pas adhéré au régime, ayant l'impression que la prime était plus élevée que ce qu'ils prévoyaient déboursé durant l'année pour des services dentaires. Pendant ces deux années, le nombre de membres a diminué pour diverses raisons et, finallement, il y eu de substantielles augmentations dans le barème des honoraires, ces augmentations ne furent pas assorties d'augmentations correspondantes du remboursement prévu selon le régime puisque c'était un contrat de deux ans. Ainsi, au lieu de rembourser 75% de toute réclamation, le pourcentage réel déclina.

Étant donnée son expérience du régime d'assurance dentaire à l'Université d'Alberta, le secrétaire exécutif, Gordon Unger, suggère qu'on considère les points suivants, là où l'on songe à implanter un tel régime:

a) La plus grande partie du coût devrait être défrayée par l'employeur, et non par l'employé.
b) Le régime devrait être obligatoire pour tous, sinon le régime devient impraticable.
c) Le régime devrait probablement inclure la couverture totale des coûts relatifs au régime de base et la couverture partielle des coûts relatifs aux régimes plus dispendieux. Notre régime a dû faire face à un certain nombre de réclamations très élevées, dans les cas on avait entrepris une reconstruction complète de la bouche. Même si nous avions le régime orthodontique avec une coassurance de 50% seulement, ces dépenses se sont révélées très importantes.
d) Les concepteurs du régime devraient reconnaître que l'assurance dentaire n'est pas une assurance comme les autres. C'est plutôt le paiement anticipé relatif aux soins dentaires, ou bien un paiement régularisé des dépenses, échelonné sur une longue période. Puisque des individus peuvent planifier plusieurs de ces dépenses, ceux-ci peuvent ne pas trouver nécessaire de s'assurer sur des incidents inattendus. De toute façon, nous avons trouvé que ceux qui ont l'habitude de défrayer des coûts élevés apprécient la chance de payer ces coûts d'une façon régulière, et en partageant ces coûts avec leurs collègues plus fortunés.

LETTERS

LETTRES

Immigration Policy Questioned

Dear Sir:

I would like to bring the following matter to your attention.

I am a Canadian citizen. In 1973, I received a Ph.d. degree in philosophy from the University of Toronto and was immediately hired by Yale University on an initial three-year contract at the rank of Assistant Professor. That contract was renewed last year. Despite the fact that Yale has offered me a job until 1979 (at which point there would be the possibility of a further renewal), the U.S. Labor Department rejected my application for an immigrant visa. The Philosophy Department, on behalf of Yale University, appealed the Labor Department's decision. Nevertheless, the Labor Department affirmed its original stand. As this ruling is final, I shall be forced to leave the United States in June 1976, when my Visitor's Exchange Visa Expires.

I have already made inquiries about the possibility of teaching posts in Canada. Unfortunately, the economic crisis is such that there seems to be virtually no prospect of an opening anywhere. As you can imagine the situation is grim, to say the least. It is extremely frustrating to have a job here at Yale until at least 1979 and yet to have to leave the country and face the prospect of being forced to give up teaching altogether due to the lack of teaching positions in philosophy in Canada!.

cont'd on p. 13

UPEI a Model?

Sir:

President Ronald Baker is quite right to point out in his letter to the **CAUT Bulletin** (March 1975) that it is not possible to draw any conclusions about the status of women at the University of Prince Edward Island on the basis of statistics related to vocational institutes (although it should perhaps be noticed that in every area where a study has been conducted there has been a high correlation between the treatment of women in the universities and in other occupations). There is clearly a need for information relating specifically to UPEI. For example, what percentage of the faculty are women? How are they distributed among the faculties and schools? How are they distributed by rank? What percentage of administrative posts are occupied by women? What proportion of the students admitted to graduate programmes are women? In addition, it would be useful to know the University's policy on pensions, nepotism, parental leave, and child care.

If the answers to these questions show that women at UPEI are indeed equal to men in every respect (or as nearly equal as can be expected given the general picture) then UPEI should be acclaimed from Charlottetown to Victoria as a model for other Canadian universities to imitate, and President Baker has my sincere apology.

Hilda J. Thomas
Department of English, University of B.C.

Communication Urged with "Disenchanted Public"

Sir:

In his recent most useful article, "Collective Bargaining by Professionals" (**CAUT Bulletin,** May 1975), Dr. John Crispo touched on the subject of the effective negotiating strength of professors and asked "how much bargaining power university professors really have". He suggested that, inasmuch as universities hardly provide an essential service, even protracted strikes might have little effect on society. Dr. Crispo also suggested that in shutting down our institutions we might hurt ourselves more than anyone else. He proposed that professors might have more economic and political clout both for negotiating purposes and strikes if all university faculty associations in a province joined together for these purposes.

While I do not disagree with any of Dr. Crispo's suggestions or conclusions on the effective negotiating strength of professors it does seem to me that there is one very crucial step we must take before we can arrive at effective collective bargaining and certainly before we should even consider strikes. That step is effectively communicating our case to a disenchanted public in order to overcome what Dr. Crispo has called an "increasing public hostility towards the universities". One of the possible tragedies in the current trend towards collective bargaining in the universities is that the professors may mistake a mirage for the reality. That is to say we may devote all our energies towards hard-nosed bargaining with our university administrations while it is the provincial governments which hold the purse strings. In the process, we may well increase the divisions within the universities by turning on our administrators, more often than not professors like ourselves in temporary administrative positions, who, in the final analysis, are probably helpless to re-orient more than a percent or two of the university budget. Down the line, we will be creating even deeper problems for ourselves by hardening the tendency of competent professors to refuse to concern themselves with the administration of their institutions. More and more we will be placing our institutional fate in the hands of distant, professionalized, centralizing administrators from outside the professorial community.

To forestall this eventuality we must keep our eyes on the real target - the provincial governments. However the provincial governments are in the habit of saying that they have blocked university finances in response to public demand. While this may in large part be rhetoric, it is, nonetheless, a very viable argument. I think we all know that there has been some disgruntlement on the part of taxpayers with the ever — increasing funds going to universities in the 1960's and some concurrent signs of wastefullness, even if much of this reaction was manufactured by

... cont'd on p. 13

LETTERS... *from p. 12*

In view of my own situation, I suggest that it is high time that Canada's policy in this matter be reexamined. To the best of my knowledge, it is at present the case that a firm job contract with a major Canadian University virtually guarantees the job holder an immigrant visa. Should there not, in all fairness, be reciprocity between the U.S. and Canada here? Many of my Canadian friends who also hold Ph.d. degrees have been unable to find teaching positions in Canada. It is, I repeat, high time that Canadian policy be rethought.

Yours sincerely,

Monika Langer
Department of Philosophy
Yale University.

certain anti-education elements of the media such as the Globe and Mail. This is no time to elaborate it, but it does seem to me that we have a perfectly good case to put to the public concerning our working conditions, salaries and the need for universities to remain relatively competitive with other major institutions of society in the bid for qualified manpower*. But, our case does need to be explained and explained thoroughly. Who, for instance, responds to the increasing number of derogatory articles and commentaries about universities one finds in the media or, for that matter, the speeches made by politicians?

My suggestion is that the CAUT and probably the AUCC and other educational associations should be taking much more seriously the question of communicating the university community's point of view to the general public. We are doing quite well now in communicating amongst ourselves but we have placed all our recent efforts in this direction without concerning ourselves with the broader society. How many of our educational associations have information offices responsible for dealing with the public? We need full time, competent personnel to charge themselves with this function. We also need professional communications assistance to make sure that we are seeing ourselves as we are seen by the public so that we will not be responding to some figment of our imagination.

Sincerely,

John E. Trent
Secretary-Treasurer.
Canadian Political
Science Association

* A related question is the number of students which should be attending universities. we have much soul-searching to do here. there seems to be some tendency to accept the theory that there are a lot of students at university in canada who should not be there and hence to accept the proposal of both a real and relative decline in the proportion of young people going to university. i don't think we really know whether we have many incompetent students at our many incompetent students at our universities because our criteria for judging this question have become too flexible in recent years. but, i do believe we have an obligation to suggest to society that everyone who can benefit from university education should be permitted to do so and that we have the further obligation to work out ourselves all the connotations of such a principle.

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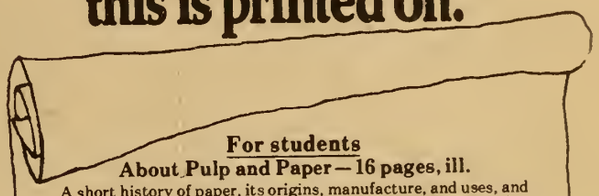

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The Open University: Trailblazer and Consolidator

Howard Adelman

Cet article prétend que l'emploi de la télévision que font "Open Universities" n'est pas une innovation technologique mais plutôt une consolidation, à une étape plus éloignée, de l'emploi des voies de communication écrite.

The Nature of Education at the Open University

The Open University was founded in 1969 and began offering its first courses in 1971. It began in 1973 with over 45,588 provisionally registered students who compiled over 60,000 course registrations. The O.U. degree is built up out of six course credits for an ordinary degree and eight for honours. The courses are organized within faculties rather than departments. The constituent faculties are Science and Technology, Mathematics, Social Science, Arts, and Education. Students start their degree with a foundation course from one of the faculties and are normally required to take two such courses. They then go on to Second, Third and Fourth level courses each of which lasts approximately 32 weeks from January to October requiring about 310 hours study a year supplemented by a week-long summer residential program.

The core of educational materials is a written package consisting of a course unit text for each week with periodic assignments, self-assessment tests, and notes on T.V. or radio programmes which last almost one half hour (one of either is included with each course unit). The contents of the package are produced by a course team consisting of a group of academics, a B.B.C. producer and an educational technician. For science students, there are, in addition, home experimental kits; for computer users there are computer terminals located in the regional centres.

These regional centres in some 260 locations serve to balance the impersonality of the educational packages with a tutor and a counsellor for each student (educationalists who aid students in their methods of study and choice of courses). Each tutor has an average of about 20 O.U. students in a course. Thus, the O.U. program consists of centrally prepared written materials, experimental scientific lab kits and electronic media presentations complemented by regionally located tutors, counsellors, and computer terminals.

Given this preliminary sketch of the essential educational format of the O.U., we can now delve into the nature of that education in terms of the relative roles of the different media.

Though the Open University was introduced in the face of a hostile academic environment, in spite of that hostility, the O.U. has had an enormous success in terms of public acceptance and recognition. This was in no small measure due to its alliance with the electronic media in the form of the B.B.C. The O.U. is not the University of the Air depicted in the Harold Wilson pronouncement; the O.U. has become something quite different. For "the core of the teaching is in the mailed packages of printing materials... Supplementing the printed materials is a wide range of supporting media". In fact, the Open University is a super-sophisticated high quality correspondence college substituting highly developed packages of printed materials for lectures but continuing the personal contact through group tutorials. It is important to note that although the media take 20% of the budget of the O.U., "in terms of the average student's time per week television occupies a small portion, only (5%)"[5]. If the total yearly input of the student is taken into consideration, it is even less.

Media Role not Primarily Pedagogical

What then is the role of the electronic media in the educational process? It is not primarily pedagogical. "The University's selection of media are (sic) controlled by logistical, financial and internal political factors rather than by soundly based and clearly specified psychological and pedagogical considerations."[6] Instead, what the media provided, or more particularly, what the B.B.C. provided was support to a new fledgling institution entering a suspicious and even hostile academic environment by sharing the B.B.C.'s enormous prestige. Further, it gave the Open University a method of productive scheduling for its materials, a necessity in any team approach to teaching. The pacing of the producers is complemented by the pacing the weekly broadcasts provided for the students. In addition, the B.B.C. aroused public interest and through the programs continually fosters public awareness. The B.B.C., in essence, is the public relations arm of the Open University.

This does not mean the electronic media lack any pedagogical function. In science, the programs appear to provide an essential supplement, in the humanities they serve as an enrichment ingredient and in the social sciences they play more of a critical role in new research techniques. In all fields, television and radio may serve as a unique library of original research materials. This summary seems consistent with the summary of objectives appropriate to television in multi-media teaching systems contained in the article "Multi-Media Methods at the Open University" by Dr. A.W. Bates and Dr. G.D. Moss and included as the Appendix of this paper.

This would seem to imply that, in the case of the Open University, the material technology of the electronic media has at most a peripheral rather than a substantive effect on the intellectual methods of the scholars and students involved. Further, rather than increasing efficiency, the costs, representing 20% of the total budget, seems out of proportion to the functions of the media and therefore, decreases rather than increases productivity. Since, the primary emphasis in education is still on print, verbal skills, and abstraction rather than on imagery, it would also seem that though the Open University might make higher education more accessible to the children of white collar workers in the clerical classes who espouse the values of verbal skills and relativity abstract labour, it is unlikely to make higher education more accessible to the children of blue collar workers. This seems to be borne out in that the proportion of students from blue collar backgrounds does not appear to be different from the conventional university. If television does not appear to have any effect on the character, economics and sociology of higher education then it does not fulfill the hopes placed on it in such documents as the **"Report to the President and the Congress of the United States by the Commission on Instructional Technology"** which placed their hopes that "technology can make education more productive, individual, and powerful, making learning more immediate; give instruction a more scientific base; and make access to education more equal."[7]

Analytic vs Gestalt Functions

If the use of the different media not only fails to be decided on pedagogical and pschological grounds but also is not determined even on economic or sociological grounds, we can at least clarify the interrelation of the pedagogical strengths and weaknesses of the various media in the Open University. We can make a primary distinction in the media between those media oriented to analytic functions and those specialized for Gestalt functions. In a typically right-handed individual the former are laterized in the left hemisphere of the brain and the latter in the right hemisphere.[8] This is parallel to the distinction made by Nelson Goodman[9] between notational and non-notational (picture) systems, the former consisting of separate discontinuous characters correlated with a field of reference. Thus, this basic distinction is deeply rooted in both physiology and logic.

The Open University in Great Britain was first brought into public view by Harold Wilson as a "university of the air".[1] It was to be a radical innovation in higher education to democratize and revolutionize it by wedding higher education to the new electronic media of the twentieth century. Is the Open University shifting the basis of education from books to electronic media, the contemporary parallel to Plato's academy which shifted the emphasis in education from the Homeric oral tradition to a new reliance on literacy?[2] Are the creators of the Open University forecasters of a post-modern university with a new technology which will revolutionize higher education and reverse the results of the renaissance humanists such as Peter Ramus who freed reasoning from the imagination and wedded memory to the logic and abstract dynamic lineal order of the Gutenberg printing press?[3] What is the nature and role of technology in the Open University and does it foreshadow a revolution in higher education?

What are the implications of these technological changes, if any, on the human role in education? Man is both the means by which the form and content of education is developed and also the object and recipient of the educational 'package'. If the Open University does offer a new model for higher education, what are its effects on man as the central factor in higher education?

On this basis, the computer terminals and printed packages are linguistic systems oriented to the analytic functions of the brain while the oral tutorials and electronic media, in particular television, involve to greater or lesser degrees social-gestural and iconic signs as well.

Clearly, the latter media are not exclusively pictorial and non-notational since they involve the spoken word and may involve music created out of a notational system. But they are primarily non-notational since the spoken language lacks one of the essential characteristics of a notational system in that no two characters in the system can have a common reference nor can any single character have more than one reference. On the other hand, written languages imitate spoken languages in providing several terms for the same reference and allowing the equivocal use of terminology and, thus, the written packages could be said not to belong to a notational system either. But they belong to such a system because the *intent* of academic prose is to build up systems of clear and distinct ideas by avoiding ambiguity. The ideal of academic prose is a notational system even if it is rarely approximated.

Thus, though the same content is approached by a various media in the Open University, the abilities on which they depend for successful transmission and the skills which are developed through each media vary. The Open University, rather than being an institution in the vanguard in the use of electronic media, has, in fact, placed printed materials in a more central position than in conventional universities with their higher proportion of oral lectures.

Multidisciplinary research teams producing written materials seem to have carried the print culture to a further stage of development, relegating the uni-directional oral lecture to a more supportive, inspirational and pacing role. The fact that a learner "cannot easily switch from one medium to another at very frequent levels during a complex learning task"[10] applies not only to minimize the pedagogical role of the electronic media but also to maximize the role of the written media so that a student is not constantly switching from an oral-auditory lecture media to the taking of notes, a process of education with great inefficiencies and inaccuracies built into it. As John Carroll notes, "students have become disenchanted with the lecture medium of instruction; many claim that they can learn as much from assigned readings as they can from lectures... From the professor they expect, rather, sensible commentaries on readings and a willing and responsive ear in discussion sessions".[11] What the Open University has in fact done is brought education a step further in the development of the print media while retaining and separating the best of two different aspects of oral tradition — the interpersonal dialogue and the inspirational lecture, the latter relegated to the electronic media while the former is retained for the tutorial sessions. The latter is the significant difference between the traditional correspondence college for "printed material is best used in situations in which there is active social involvement".[12]

APPENDIX
BROADCASTING COMMITTEE

OBJECTIVES WHICH APPEAR TO BE PARTICULARLY APPROPRIATE TO TELEVISION IN A MULTI-MEDIA TEACHING SYSTEM — A.W. BATES

Criteria for Selection

(a) Objectives difficult or impossible to achieve by other available media;

or

(b) Objectives that are more **economically** achieved through television, either in terms of student time or in terms of cost to the institution.

Method of Selection

This is purely subjective: the objectives listed below have been suggested either by Open University producers or deduced by myself from a qualitative assessment of programmes. Research is urgently required into at least three areas: whether these objectives **can** in fact be successfully achieved through television; extending the range of such objectives (this list should not be considered as comprehensive); and examining the ordering or hierarchy of such objectives (e.g. are some sub-categories of others?)

Objectives for Television for a Whole Course (these would apply to **all** courses)

(1) To increase students' sense of belonging; identification of and with course designers; making the teaching less impersonal;

(2) To reduce the time required by students to master content;

(3) To pace students; to keep them working regularly; to break inertia of beginning to study in evening;

(4) To recruit or attract new students (either to University or to specific courses); to interest general viewers in subject matter;

(5) To establish academic credibility of course to "outside" world.

Objectives for Television for Specific Programmes or Parts of Programmes.

(6) To demonstrate experiments or experimental situations, particularly:
- (a) where equipment or phenomena to be observed are large, expensive, inaccessible or difficult to observe without special equipment;
- (b) where the experimental design is complex;
- (c) where the measurement of experimental behaviour is not easily reduced to a single scale or dimension (e.g. human behaviour).

Discipline Integration Key to Research

In the process, not only is the teaching method potentially improved but so also is research. For research, as Joseph Ben David pointed out in **Fundamental Research in the Universities,** is done best when several disciplines are involved as a peer group on a common problem. The O.U. teaching method is consistent with such a research technique and overcomes the high cost of our previous techniques of team teaching in a classroom. The multi-discipline O.U. course teams writing together do not talk concurrently or sequentially with the same group of students as do most team-taught lecture courses. However, this research process did not seem evident in the O.U. though this development seems as important as the teaching breakthroughs. Further, without the proper integration of research, the care and attention necessary to the preparation of printed materials will tend to be replaced by poorer quality materials put together as a result of political compromise.

Given this relationship of the O.U. to the oral, print, and electronic media, and that the O.U. is a fuller development of the print media rather than the avant garde of the electronic media as first announced, it is not surprising to see that this is the essence of the vision of an Open Academy in Ontario or an Everyman's University in Israel. As Bernard Trotter wrote, "to be successful such an enterprise must be based on a scale of enrollment sufficient to cover the extra costs of high-quality, centrally produced materials and an adequately staffed tutorial service".[13]

There are, of course, other reasons why the print media is central to the task of the Open University. While the students can participate in writing and, thereby imitating the mode of instruction in the print media, the economies of television technology do not allow students to participate in the making of television programs on a massive scale. More importantly, the film and television media turn students into passive recipients who are unable to respond to media, stop it for reflection or select and organize oneself even to a small degree as when one chooses to scan or read selectively. At the same time, as Gombrich has noted, "the visual image is supreme in its capacity for arousal, that its use for expressive purposes is problematic, and that unaided it altogether lacks the possibility of matching the statement of language".[14] Thus, though best able to arouse the observor, there is no method of dealing with the affective response. And since virtually all our higher education is oriented to cognitive rather than affective development, there is an essential inconsistency between the use of television as a media of instruction and the content which it is most frequently used to transmit on educational channels.

In sum, the technology of the Open University does not presage a breakthrough in higher education but instead, represents a consolidation of the predominance of the print media and its emphasis on analytic and abstract skills.

[1] Sir Toby Weaver suggested to me that the ideas in Wilson's speech in the mid-1960's came from Michael Young's book, **The Rise of the Meritocracy.**
[2] cf. E. A. Havelock's, **Preface to Plato,** Grosset & Dunlap, New York, 1967.
[3] cf. W. J. Ong, **Ramos: Method and the Decay of Dialogue,** Harvard, Cambridge, 1958, W. S. Howell, **Logic and Rhetoric in England 1500-1700,** Princeton, New Jersey, 1956, and Neal W. Gilbert, **Renaissance Concepts of Method,** Columbia, New York, 1960.
[4] David G. Hawkridge, "The Open University's Use of Media", p. 1 Hawkridge is the Director of the Institute of Educational technology at the Open University.
[5] ibid, p. 2.
[6] David Hawkridge, "Media Taxonomies and Media Selection", 1973, p. 1.
[7] **To Improve Learning,** U.S. Govt. Printing Office, Washington, 1970.
[8] cf. J.C. Eccles, ed., **Brain and Conscious Experience,** 1966; M.S. Gazzaniga, **The Bisected Brain,** 1970; Milikan, C.H. ed., **Brain Mechanisms Underlying Speech and Language,** 1967.
[9] cf. Nelson Goodman, **Languages of Art,** p. 265.
[10] D. Hawkridge, "Media Taxonomies and Media Selection", p. 7.
[11] J.B. Carroll, "The Potentialities and Limitations of Print as a Medium of Instruction" in **Media and Symbols** ed. by David E. Olson, p. 167.
[12] Ibid, p. 176.
[13] B. Trotter, **Television and Technology in University Teaching,** p. 43.
[14] E.H. Gombrich, "The Visual Image" in D.E. Olson, ed., **Media and Symbols,** p. 242-243.

The Dilemma of the Applied Social Sciences

enticing the best minds

Jim Hackler

In recent years provincial governments have been looking at their universities more carefully and demanding that universities begin to offer more programs of immediate relevance to society. Whether this particular pressure on the university is desirable or not, will not be debated here. Such demands do in fact exist and universities are responding. The question is: How? Some strategies could lead to universities getting increased funds for interdisciplinary and applied programs. Unfortunately, they could still end up doing a rather poor job of creating effective programs.

In the social sciences, universities have traditionally been somewhat condescending toward the application of social science knowledge. Obviously schools of education make use of new knowledge in psychology, sociology, anthropology, and other social sciences. And yet, schools of education have had difficulty attracting the best scholars in these disciplines. It is interesting to note that this is not necessarily the case in some areas outside the social sciences.

While it would be interesting to debate the reasons why applied disciplines have had higher prestige outside the social sciences, the crucial point is: what are the consequences of launching programs under such conditions? One major consequence of competing at a disadvantage for talent with traditional disciplines is that it may decrease the likelihood of doing the new task well.

An applied discipline which does have high status is in a better position to attract talented individuals. Having attracted talented individuals, an applied discipline is better able to cope with those problems which can spell the difference between simply another entrenched departmental structure or a meaningful contribution to the intellectual scene. For example, applied programs must seriously weigh the possibility that their activities are helping more than they are hurting. There is good reason to believe that some professional programs, that push ahead without considering long range implications of their activities, do society a disservice. Let us examine, for a moment, the growth of schools of education and social work — illustrations of present applied social science programs. My goal is not to criticize schools of education or social work. Most of these points are spelled out by critics within these disciplines. Their comments on the past and present should help us to focus on the very difficult job of organizing a university so that programs in the applied social sciences in the future will have the maximum chance of success.

Professional Schools

I would argue that the development of schools of education and schools of social work were the result of demands from organized groups and community pressures largely independent of that intellectual core which has historically made up the university. Even today, many academics will argue that teachers should learn subject matter and not teaching techniques. While such a view is less prevalent today than it was 50 years ago, many universities are still skeptical of some of their professional schools. Rarely are they viewed as centres of intellectual leadership.

The response on the part of such professional schools is predictable. They have formalized their own disciplines, written their own textbooks, and conducted their own research. In doing so, a few such professional schools have achieved status comparable to other university disciplines and departments. The school of social work at Columbia University has become renowned for its contributions to the sociology of deviance and other social problems. The Ontario Institute for Studies in Education has achieved stature in the educational field. In general, however, creating separate empires may have solved status problems, to some extent, without making comparable strides in terms of contributions to knowledge. But the primary concern is that schools of education and social work may not be achieving their major task — providing experiences for young people which make them more capable teachers and social workers. This has been a major concern for sophisticated thinkers in both education and social work. For example, we are faced with the frightening possibility that the very procedure which is used to channel people into educational degree programs may in fact lead to people entering the field who may do the job less adequately than those who did not go through such a formal program.

Schools of education and social work may not be achieving their major task

This is a distinct danger when an applied program becomes a "training" program, in response to understandable "professional" pressures. Such pressures could encourage the teaching of ideas which fit nicely into the professional roles future trainees must play, even though other knowledge suggests that such ideas could have negative consequences. I would argue that the "best" knowledge has sometimes been overlooked in education and in social work, possibly because it didn't fit or because faculty members did not keep abreast of the field. My concern is that some of the developing applied disciplines, such as criminology, urban development, family studies, community development, etc., will go through a similar process. Will such programs be launched by recruiting the weaker members of other disciplines, attracting weaker students, and creating little empires to protect themselves from the more traditional disciplines?

The application of knowledge should be of concern to the university. If so, it would be wiser if such applied areas were able to utilize the best talent in the field. I am aware that there will always be talented as well as incompetent people in universities, but if these people are distributed throughout the system, there is reason to believe that superior ideas will continue to surface in all facets of university activities.

Alternate Structures

Most people would agree that schools of education and social work, and any other existing applied programs, deserve to have access to talent comparable to that found in other departments of a university. My goal is not to revise present programs, but to suggest that we consider alternate structures as we develop new interdisciplinary and applied social science programs. We could develop a number of mediocre programs which will satisfy the demands of provincial legislatures and give the public the appearance of a relevant university. In fact, mediocrity in these new programs could have just the opposite effect on society: by staking out an area of expertise and insisting that other departments keep their hands off, we may generate a host of new university courses which sound relevant but which may not have to undergo the scrutiny of the best minds in the field. If the applied social scientist is identified as being a second class academic, the pressure on universities to become involved in the applied social sciences could lead to these pockets of mediocrity.

At this stage, it is appropriate to offer alternative ways of proceeding. Obviously, I would like to see applied programs be able to tap the best thinking in traditional fields. Unfortunately, like other social scientists, I am not particularly skilled at applying the knowledge which has been accumulated. Perhaps however, some essential problems in launching applied social science programs can be identified.

First of all, should we be committed to changing things? There are some who would argue that trying to apply the social sciences is a mistaken endeavour. The experience that has been gained in this area suggests that social scientist meddle in the lives of others with more disastrous consequences than do politicians. It might be healthy to be sure that critics of applied programs be included in any program which aspires to teach people how to apply knowledge. It is understandable to wish to close them out.

How might this be achieved? Let us assume that a new program in criminology wishes to have students knowledgeable about, "behavior modification." This is a controversial subject among psychologists today. From one perspective, the argument could be put forth that a school of criminology ought to teach people how to control criminals. Another would argue that such a program should also deal with the question: Should we be modifying behavior, controlling people, or changing individuals? And if so, what are the implications of such activities? If such decisions as to what topics should be covered in a program of criminology were left to the program itself, these areas of controversy might be restricted. This might be convenient and in fact permit a more peaceful development of the program. I would argue, however, it would be dangerous to be lulled into the more expeditious alternative. If our long range goal is to be sure that the best knowledge is applied, and since knowledge is always changing, we must not only tolerate controversy, we must have some sort of structural guarantees that the source of such controversy cannot be excluded from any program. In other words, a program in criminology should not have control over content of courses on behavior modification. Better to leave this in the hands of psychology departments. Better for protagonists and antagonists of behavior modification to bend the ears of budding criminologists rather than having one view predominant.

To achieve the goal of ideas on the frontiers of knowledge continually flowing into such a program, including ideas which are critical of the program itself, such a program must make

it worthwhile for traditional disciplines, such as psychology, to take part, and to take part on their own terms. Instead of hiring their own psychologist to teach behavioral modification, a program in criminology should somehow entice the best minds in this field to take part in this new program.

Forces vs Ideals

To summarize this first point, an applied program needs to remain open to the questioning of fundamental assumptions and avoid cutting off the flow of the best ideas in the basic disciplines. I confess that such a goal may in fact be unachievable since universities, like other organizations, are governed by dynamics that are frequently incompatible with certain ideals.

Secondly, applied programs can find themselves involved in research programs which are rather unappealing in intellectual terms. As a result, sophisticated scholars find such activities so unrewarding intellectually, that they avoid them, leaving them in the hands of less able individuals. Few sociologists with specialties in deviance and skills in methodology have not been approached and asked to do an "evaluation" of some sort of program. Even though some of these situations can be financially rewarding, few of these "research-like" projects provide the opportunity to make breakthroughs on the frontiers of knowledge.

A tendency of some applied programs is to go along with these activities since it helps them to maintain relations with appropriate community agencies. Unfortunately, engaging in such activities under the guise of "research", brow-beating students into doing theses when the data being handled is relatively devoid of intellectual potential, and generating reports which may in fact be political rather than research documents; may in fact lead to a further decrease in prestige of such a program and make it still more difficult to involve the best thinkers in the field.

I do not have a good answer to this dilemma, but I would suggest that it is possible to turn some relatively sterile projects into those which generate meaningful data. That is, it should be possible to approach agencies which need information, with the type of research plan which could be both theoretically and practically relevant. Data gathered to answer policy questions and applied issues could also serve theoretical purposes. Designing research that intrigues the best minds while also informing the community is difficult, but the consequences make the effort worthwhile.

If the university waits for a community agency to approach it with a problem, it is quite possible that there will be little meeting of minds as to what is a worthwhile research endeavour. But if the university can create applied programs which involve some of the better minds in the various disciplines, a dialogue with various agencies might produce research which could serve several different goals.

Bridging the Gap

There is no need to list other problems that will be faced by applied social science programs. The point is that if such programs are to be taken seriously by universities, and not simply to be seen as devices for placating the community and getting funds from legislatures, they deserve to have their share of the best talent the universities can produce. Some strategies, which create new and separate departments may find it convenient organizationally; but they may suffer intellectually. It may be difficult to attract some of the better minds in traditional disciplines to utilize a portion of their talent to deal with issues which bridge the gap between the theoretical and the applied. Such a tactic would require that any applied program be in a position to reward a traditional discipline for cooperating with the applied program. In other words, if an applied program could provide funds to a traditional discipline in a way which permitted the traditional department to work towards some of its priorities while also devoting a portion of its resources to those features necessary to the applied program, the level of sophistication of the applied program might be enhanced considerably.

This argument can be summarized as follows: the application of the social sciences to social policy is a particularly difficult enterprise. There is some evidence in the past that attempts to apply this knowledge in the real world, or to train people to be applied technicians of the social sciences, have been somewhat unsuccessful. There is also some evidence that applied programs have had difficulty attracting the best minds in the business. Therefore, it is important that such new programs have close contact with traditional disciplines in order to draw on their strengths while constantly being exposed to their criticisms. Given the nature of university politics in periods of tight budgets, such ideals may be difficult to achieve. However, if enough people share my bias that this new move by universities into the application of social science knowledge should be given high priority and that such programs should not be staffed simply by those scholars who don't fit comfortably into traditional, higher status disciplines, perhaps strategies can be devised to avoid patterns of the past from persisting into the future.

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BOOKS LIVRES

Psycho-Historians and the Myth of Human Perfectability

Clio and the Doctors: Psycho-History, Quanto-History, and History, by Jacques Barzun. Chicago: The University of Chicago Press, 1974. pp.xi & 173.

This slim volume is an expanded version of a paper dealing with the relationship between history and the newest of the social sciences delivered in 1971. Although Professor Barzun's remarks are aimed especially at historians, they should be of considerable interest to the academic world at large.

Barzun has two principal objectives in mind. He wants his colleagues to ward off incursions by psycho- and quanto-historians into territory which he considers the rightful preserve of history proper. And he wants historians to resist the challenge issued by social scientists that they see events from below and join in the search for a single underlying cause which will explain both individual and collective behaviour. Historians belong in the world of the humanities, Barzun insists: like students of art, philosophy and religion, they ought to remain skeptical of all attempts to explain human behaviour deterministically. Psycho-historians and quanto-historians cannot, then, be Clio's mentors. At best they may serve as her handmaids, suppliers of footnote references and parenthetical asides.

Citing Burckhardt, Barzun argues that the impulse in many modern scholars to find evidence which tends to reinforce the myth of human perfectability is a product of the democratic spirit. But this impulse, however noble in itself, has added little to our knowledge of men and events. The efforts of modern psycho-history to transfer the therapeutic methods of the clinic to the examination of individual and social history is typically suspect. To begin with, psycho-historians, like their progenitors the psychoanalysts, are not agreed as to method. They use a language which is either too cryptic or too imprecise to be serviceable. Above all, they are intent upon tracking down a single, character-fixing event in infantile or adolescent experience for which there is almost never any corroborating evidence outside the subject's own fallible memory. Turning to particular cases, Barzun finds weaknesses even in the most celebrated attempts at psycho-history. Leon Edel's analysis of Henry James, he contends, was based on the citing of judiciously edited letters. Freud's diagnosis of Da Vinci was derived from questionable sources, including the mistranslation of Italian words. Even Erik Erikson, whom Barzun clearly admires, is faulted for relying on signs and symptoms rather than on hard evidence in his **Young Man Luther**. Historians in search of exemplary character studies, Barzun concludes, might better turn to Plutarch than to disciples of Freud.

Professor Barzun's paragons are Ranke, Guizot, Mommsen and Rostovtseff, historians who were indifferent or hostile to the democratic and industrial age, cultivated minds who transmitted wisdom, not moral elevation, to a leisured elite. He shows no interest in historians who have concerned themselves with "the bloodless category of classes and factors, forces and trends." Yet it is surely in these areas that the social sciences have made their greatest contribution to the historian's understanding. If the once anonymous revolutionary crowd of the 1790's and the faceless urban masses of the nineteenth century have been given flesh and form, it is because of the work of historians such as Hobsbawm, Rudé and Soboul who have been informed and inspired by the techniques and aims of the social sciences.

Professor Barzun writes with enormous verve and conviction. He will no doubt irritate those of his colleagues who are thrall to the spell of the social sciences. But he should inspire those who, like himself, are devoted to the history of ideas. And he should both stimulate and delight the general reader.

Geoffrey Adams

Dissent and Reform: Whither the modern University?

Half Way Up Parnassus. Claude Bissell. University of Toronto Press

Claude Bissell's account of his experience as senior administrator of the University of Toronto during the last two hectic decades in Canadian higher education is a document of obvious importance.

Lucidly written, if often pompous, informative though openly partisan and often narrowly personalist, the book deserves to be read less as a complete history of the events it recounts than for the issues it raises. What will strike most readers as its two key themes are directly relevant to contemporary discussion in these days of generalized anxiety and government imposed 'radicalization' in our universities.

The first, and subsidiary, topic is the eruption of the 1960's student movement at Toronto. Inevitably, Bissell discusses it in the context of his own attempts at liberal reform and from the managerial perspective of the University administration. Here, there is much useful information at least about the bureaucratic response to campus radicalism. He makes perfectly clear, for example, the Machiavellian intent of involving the more 'responsible' elements in the reformist project of replacing Board and Senate with a representative unicameral Council. (Langdon, Rae et al. take note). Light is also shed on the basic principles underlying his own conduct of the situation: beneath the energetic yet semi-tragic posture a meritocratic Toryism is revealed, along with its biographical roots. Valuable material here, one might add, for the student of ideology.

But as a rational analysis either of student radicalism in general or of the Toronto manifestation in particular the book is worthless. Bissell fails to relate the events he witnessed on campus to their international context, and lacking any concept of a non-capitalist direction for 'industrial' societies, revolutionary politics remain for him an impenetrable mystery. More culpably, perhaps, even now when he has retired from the scene of combat he appears incapable of seeing in the cynicism and outrage of dissident students an intelligible reaction to their social and institutional situation. Although, to be sure, if he had understood the extent of the intellectual, ideological, and cultural rot in the university over which he presided he would have been incapable of writing in good faith such a self-congratulatory portrayal of his historical role.

But this is not the whole point. In its exhausted aftermath the political and cultural upheaval of the last decade has been almost wholly forgotten, surviving only as a fossilized memory which the mass media, searching for new fashions, have consigned to the museum of natural history. In history as well as therapy the return of the repressed in a censored and mystified form is better than total amnesia. And so one hopes that Bissell's heavily distorted recall will induce in university circles a more critical reappraisal of the turbulent period we just lived through. After all, the radical moment and its disturbing concerns can hardly be said to be over yet.

Bissell's discussion of the student movement at Toronto, however, is subsumed under a more general theme: the changing condition of the modern university. This indeed constitutes the principal focus of his story. In effect, Bissell has written a sequel to Clark Kerr's celebrated **Uses of the University** in which the process is examined whereby one traditional institution became transformed into a multiversity. As the account unfolds the tone changes from optimism to gloom. Bissell had hoped that expansion and more immediate involvement with state and economy would have a salutory effect on the 'Great Good Place' of his youth: excellence would be preserved while the campus would be opened up to social concerns and the terms of its internal academic competition equalized.

His disillusion stems in part from witnessing the divisive effects of student extremism. At a deeper level he is alarmed by a tendency to massification and bureaucracy, in which excellence, community and creativity seem to be threatened at their root. Compounding these fears he notes with dismay the University's partnership with the provincial government changing into one of subordination. Having survived the radical threat, the University has now to reckon with public hostility and the philistines of Queen's Park. This is all of course very topical. But in the interests of clarification, it is worth under lining the more important errors in the analysis.

First, he partially misidentifies the real nature of the forces which have subverted the social relations of intellectual production. Occluded from the account is any appreciation of how the modern university has been engulfed by the capitalist market, and the effect which this has had on the institution's activities and internal role structure. Secondly, as a result of his nostalgic fixation on the university experience of his adolescence, the real character of the now defunct 'community of scholars' is grossly mystified. Hierarchy and paternalism are confused with recognition of intellectual worth; the trappings of scholarship and community are confused with their substance. Consequently, he has no adequate vision to counterpose to the fading Medieval ideal. Finally, Bissell makes no reference to the intellectual problems that have accumulated without resolution in all western universities. The natural sciences, social analysis, and the humanities are all in a state of confusion concerning both their social function and their epistemological status. Considered as a totality, the ongoing knowledge project housed in the university is the site of a massive fragmentation. The University of Toronto, so far as one can tell, has made no serious dent on these problems: recognition on all sides that they exist might be a useful starting-point for real intellectual reform.

In fairness to Bissell, however, his book has at least put the question of the fate of the modern university explicitly before the public at a time when practical considerations themselves urgently necessitate a full discussion. And I for one do not believe that the Left, in its collective wisdom, has produced adequate answers to all these problems either.

Andy Wernick

Ephemera and Schlock — Are Quotas the Solution?

Report of the Select Committee on Economic and Cultural Nationalism. Final Report on Cultural Nationalism. Toronto: Queen's Printer for Ontario, 1975. Pp. 51 mimeo.

In 1971 the Ontario Legislature appointed a Select Committee of 11 members representing the governing Tories, the Opposition Liberals, and the NDP to study economic and cultural nationalism. For more than three years the Committee pursued its task, occasionally — as when it studied the colleges and universities in 1973 — in the full light of publicity. During its lifetime, it released a report on the universities, lamenting the high degree of Americanization of faculty, and a report on the effects of advertising. The Select Committee's life is now over, and this **Final Report on Cultural Nationalism** represents its last will and testament.

The Committee's last thoughts are not particularly profound. Its solitary recommendation is that another "committee on cultural affairs be struck to propose law and policy respecting cultural development and distinctiveness in Ontario and Canada...." Committee follows committee *ad nauseam*, but only rarely does any legislation emerge. Still, it has to be a hopeful sign to Canadians that a multi-party committee of the Ontario Legislature can look at cultural nationalism at all and not declare that all is for the best in Ontario. (Is there any place you'd rather be?) Five years ago, no threat to cultural sovereignty would have been recognized; if a change has taken place it is only because solid documentation on American hegemony in the universities, the media, and the economy has emerged.

In its **Report**, the Select Committee casts a wide net, even to the preservation of historic buildings and to native culture. For this journal's readers, the sections that seem most important cover education, Canadian studies, and the print media.

All are matters of substantial concern to those who believe, as I do, that Canadians have to be given the opportunity to see materials and to learn about Canada in their schools and bookstores. At York University for example, members of my department have been trying without any substantial success to expand the bookstore's holdings of Canadiana. The argument we advance that these books will sell if students and faculty can find them on display is countered with the *non-sequiturs* that it is not the university's obligation to subsidize Canadian publishing and that French or Russian historians or sociologists or psychologists will demand equal space if "the Canadians" are favoured. The complaints we convey that we are forced to steer students to other bookstores to get books they need is met only with charges of disloyalty. It would be funny if one could see through the tears.

This York situation can be replicated throughout the country, and not only in university bookstores. In general, trade bookstores have been even worse offenders, and most carry nothing beyond ephemera and schlock, if they carry any Canadiana at all. To its credit, the Select Committee was aware of this problem, and perhaps its proposed successor Committee will enact legislation imposing Canadian quotas on the bookstores. Quotas are not the ideal way of operating, but they have worked very well in radio and television and in the music industry. Perhaps they can be made to work on the print media (and, incidentally, for the film industry, too.)

The Select Committee also looked at libraries and evinced a concern for their holdings of Canadian materials. This is, I believe, one

... *cont'd on p. 22*

About our reviewers... Geoffrey Adams teaches History at Concordia (Loyola)... Andy Wernick teaches sociology at Trent... J.I. Granatstein teaches History at York.

DOCUMENTS

Unisex Mortality Tables

On November 15, 1974, the Board of CAUT endorsed the principle that the actuarial tables used in calculating pensions shall not take into account the distinction between men and women. In the case of defined benefit pension plans, it would appear that variations in the formula to reflect differences in sex are not common; in this respect, Alberta might have been the last province to provide through legislation (effective January 1, 1975) for equal pay-outs in the pensions of secondary school teachers. But in the case of money purchase plans, discrimination is unfortunately the universal fact. In both cases, CAUT believes that the provinces should amend or interpret the human rights legislation to ensure that only the unisex tables are legal. In so doing, the CAUT believes that this is the way it should be for everybody and not just for professors.

The position taken by CAUT was formulated in opposition to the work done on the Ontario Human Rights Code by the Task Force on Employee Benefits under Part X of the Employment Standards Act. *(See page 21)* This Task Force has discarded the controversial concept of unisex mortality tables and has recommended that money-purchase retirement benefits, optional forms of retirement benefits and optional early and postponed retirement benefits be allowed to vary by sex to reflect actuarial mortality considerations. In this connection, The Association's arguments will represent those one can generally make in favour of unisex mortality tables. In doing so, we will in fact follow the argumentation developed by Professor B.R. Bergmann for the American Association of University Professors. This position has been endorsed by the Annual Meeting of the AAUP on April 27, 1974. (See AAUP *Bulletin*, Vol. 60, No. 2, June 1974, p. 142)

In essence, we are of the opinion that all human beings must be allowed the same dignity in retirement and that institutions must therefore provide retirement plans which pay equal benefits on a monthly basis to those with identical employment records. Women should not be disadvantaged by having the characteristics of the class attributed to them as individuals. This principle applies in insurance as well as in other employment-related areas; sharing of the risks involved should be within the class of all those insured and not restricted by sex.

The usual practice has been rationalized by reference to the greater costs due to the greater average longevity of women and to actuarial soundness. We will argue that average longevity of women does not justify allowing employers to provide a lower standard of living for elderly retired women than elderly retired men, and that acturial soundness can be achieved by other entirely feasible arrangements which do not violate our sense of justice and the anti-discrimination laws of the country.

A principle which has emerged from the anti-discrimination legislation is that it is no longer permissible for an employer to treat any particular woman as if she were the "average woman". The employer is no longer permitted to assume that any particular woman can lift no more than the "average woman" can lift, or assume she will stay on the job as long as the "average woman" will stay, or assume that once on the job she will produce as much as the "average woman". Grouping people by sex when making decisions as to hiring, promotion, pay, or any other personnel action constitutes unlawful discrimination. An employer who wants to hire someone who will have to lift heavy objects is free to give all persons who apply a lifting test, but that employer is not free under the law to make the hiring decision on the basis of the sex of the applicants. The fact of life which the law recognizes is that all men are not, for purpose of work, different from all women, that there is a distribution of talents and propensities among men and another distribution of talents and propensities among women, and that these distributions, although not identical, do overlap. The "average" of the male distribution may be different than the "average" of the female distribution, but there are individuals in one distribution who have equivalent talents and propensities to individuals in the other distribution.

As it is with talents and propensities, so it is with death ages. While the "average woman" dies later than the "average man", there is considerable overlap in the distributions of the death ages. If at a single point in time we were to pick at random 1000 men age 65 and 1000 women age 65, and follow them through and observe their death ages, we would expect to find an overlap of 81 percent.[1] This means that we could match up 81 percent of the men with 81 percent of the women as having an identical year of death. This leaves 19 percent of the population, of whom 9½ percent are men who die relatively early, unmatched by women's deaths, and of whom 9½ percent are women who die relatively late, whose deaths are unmatched by male deaths.

Allowing employers to provide higher pension benefits for men than for women on the grounds of higher costs is to allow employers to assume that all men are like the "average man" and all women are like the "average woman" in terms of death. It allows employers to arrange things so that the savings in annuity cost for the 9½ percent of the population consisting of excess men who die early are entirely monopolized by men, 81 percent of whom are in the overlap group. The extra burdens imposed by the higher annuity costs of 9½ percent of the population consisting of excess women who die late are entirely allocated by employers to women, 81 percent of whom are in the overlap group.

This is "because" the sex of all males happens to be the same as the sex of the excess people who die early, and the sex of all females happens to be the same as the sex of the excess people who die late. What is at issue is whether it is within the law to continue using the word "because" in this way in this context. We would argue that the law, which prohibits decisions arbitrarily based on sex where sex itself is not relevant to the job, requires the sharing of these benefits and these costs over both sexes. Pension plans which group employees by sex constitute a denial of equal pay for equal work for the majority of the population which is in the overlap group.

The women in the large overlap group with lower pensions are, to say the least, in an unfortunate position. The considerable difference in their living standard is not even compensated for by a longer life; they do not cost the system any more than men do; their only crime is that they have the same sex as the few people in the longer-lived group. This seems a slender reason to condemn them to a considerably meaner living standard than men. Public policy embodied in the anti-discrimination legislation requires that the burden of supporting the 9½ percent of the population who are longer lived be shared by the entire population, rather than putting the whole burden on the 40½ percent of the population who are like the long-lived group in sex but not in longevity.

The use of pensions as a discriminatory device is made crystal clear by the practice of many organizations in treating death benefits and pension annuities in an inconsistent manner. In the case of benefits for death before retirement, higher mortality of the "average man" and the higher costs it entails are ignored and men and women are frequently given the same benefits. In figuring death benefits, men are frequently given the "advantage" of averaging out men's and women's mortality. The same organization may then turn around and again give men the advantage in retirement benefits by *failing* to average out men's and women's mortality. If the organization (and the insurance agency which sells the policy) were truly interested in costs as a basis for the distribution of fringe benefits, it would not act in this inconsistent manner. We would assert that what the organization and the insurance agency which services it are interested in is rather taking advantage of women's weak position in a discriminatory labor market to deny them the full measure of benefits the organization gives to men. To lay down guidelines which would countenance this kind of behavior under the anti-discrimination laws would be to make a mockery of these laws.

Let us now turn to the issue of "actuarial soundness". The point we wish to make is that there are numerous ways of achieving "actuarial soundness". Certainly a system is financially sound if the total of discounted costs equal the total of discounted benefits, plus some margin for deviations from past experience etc.

This may be achieved by splitting up the population for rate-making purposes into small groups or into a few big groups, or keeping the entire population in one group. For example it would be actuarially sound to split up the population into different rate-paying groups, the assignment of individuals to groups depending on blood pressure, number of cigarettes smoked in previous years, number of relatives dead of cancer, and the like. Or it would be equally sound actuarially for the law to mandate keeping the whole population in one group and charging each the cost of servicing the entire population.

Which division of the population for insurance purposes, if any, should be encouraged by public policy? There are some forms of group-splitting which encourage desirable behavior and which are reasonably protected by public policy. Charging owners of frame houses more than owners of brick houses for fire insurance encourages the choice of safer building material. Charging accident-prone drivers higher auto insurance premiums encourages safer driving. Charging older people more for term life insurance than younger people encourages younger people, whose need for insurance is greater, to purchase adequate amounts. But there is no desirable behavior which is encour-

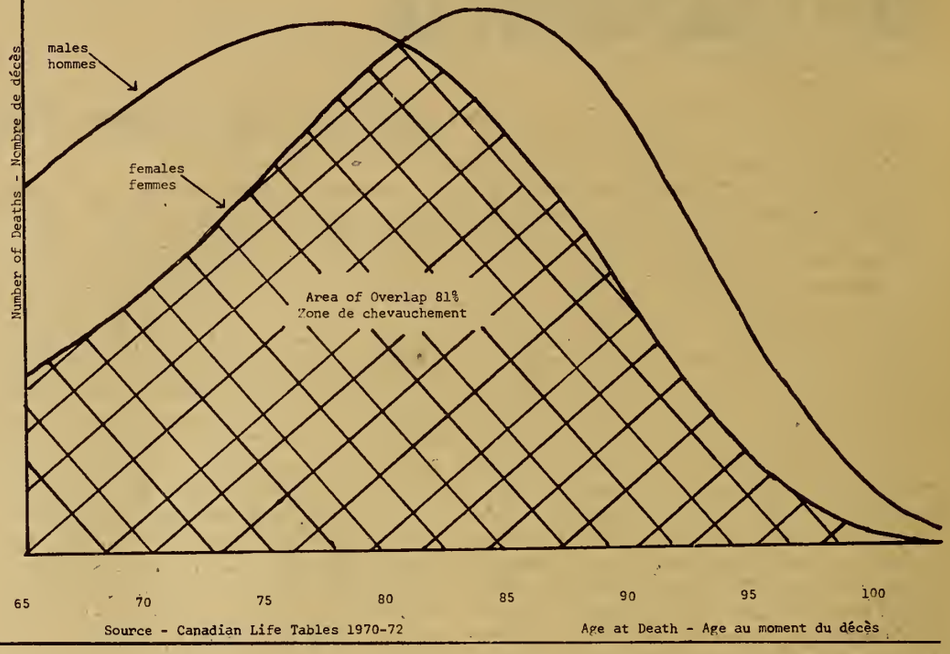
aged by splitting up the population by sex and charging more for annuities for women than for men, and therefore no public interest in allowing such a split. On the contrary splitting the population by sex for pension purposes is a device for allowing employers to discriminate against women, which is against public policy.

We have outlawed discrimination in hiring, in promotion and in wages and salaries. To allow the continuation of discrimination in the delivery of fringe benefits through lower annual pension benefits for women would be to enshrine for no discernible reason the last vestige of a discriminatory system.

In summary, the critical point is "what is socially desirable?" Distinguishing between men and women for pension purposes accomplishes no socially desirable objective. The fact that it is possible to distinguish between the two does not provide a reason to do so.

Georges Frappier,
Mr. Frappier is Assistant Executive Secretary of the CAUT in the area of economic benefits.

Distribution of Death Ages of 1000 Males/Distribution des âges au moment du décès de 1000 hommes et 1000 femmes qui ont atteint l'âge de 65.



Source - Canadian Life Tables 1970-72

Note 1: Figures in this paper are taken from: Life Table: Canada and the Provinces, 1970-72, Statistics Canada, 84-532. See Appendix 1.

Tables de mortalité uniformes pour les deux sexes

Le 15 novembre 1974, le Bureau de l'ACPU à approuvé le principe voulant que les tables actuarielles utilisées dans le calcul des pensions ne tiennent pas compte de la distinction entre l'homme et la femme. Dans le cas des régimes de pension à prestations déterminées, il semble assez rare que les formules soient différentes selon le sexe; à cet égard, l'Alberta est peut-être la dernière province à avoir imposé par une loi (en vigueur depuis le 1er janvier 1975), l'égalité des pensions pour les enseignants du secondaire. Mais dans le cas des régimes de caisse d'épargne, la discrimination est malheureusement un phénomène universel. Dans les deux cas, l'ACPU estime que les provinces devraient modifier ou interpréter la législation sur les droits de l'homme de façon à rendre obligatoires les tables uniformes pour les deux sexes. En cette matière l'ACPU veut être le porte-parole non seulement des professeurs d'université, mais de tous les citoyens canadiens.

Cette prise de position de l'ACPU est formulée en opposition au travail effectué par le groupe d'étude chargé d'enquêter sur les avantages sociaux prévus par la partie X de la loi sur les normes d'emploi sur le Code des droits de l'homme de l'Ontario. *(Voir à la page 21)* Repoussant l'idée controversée des tables de mortalité uniformes, ce groupe d'étude a recommandé que les régimes de pension de caisse d'épargne, les régimes facultatifs de retraite et les régimes offrant la possibilité d'une retraite anticipée ou différée puissent varier selon le sexe en fonction des facteurs actuariels de mortalité. À cet égard, les arguments de notre association sont ceux que l'on invoque généralement en faveur de tables de mortalité uniformes pour les deux sexes. En cette matière, nous nous proposons de reprendre la thèse présentée par le professeur B.R. Bergmann pour l'American Association of University Professors, thèse qui a reçu l'approbation de cette association lors de son assemblée annuelle du 27 avril 1974. (Voir le Bulletin de l'AAUP, Vol. 60, No 2, juin 1974, p. 142)

Essentiellement, nous sommes d'avis que tout être humain doit, par essence, pouvoir vivre dans la même dignité, et que les institutions doivent en conséquence offrir des régimes de pension qui garantissent des mensualités égales aux personnes ayant des dossiers professionnels identiques. On ne devrait pas désavantager les femmes en leur attribuant, en tant qu'individus, les caractéristiques de leur catégorie. Ce principe vaut pour l'assurance comme pour les autres régimes de protection liés à l'emploi; le partage des risques devrait être étendu à tous les assurés, et ne devrait pas être fonction du sexe. On a prétendu justifier la pratique habituelle en invoquant les frais plus élevés qui découlent de la longévité plus grande de la femme, et la nécessité d'une base actuarielle solide. Nous soutenons pour notre part que la longévité moyenne de la femme n'est pas un motif suffisant pour que l'on permette aux employeurs d'offrir aux femmes âgées et retraitées un niveau de vie inférieur à celui des hommes, et qu'il est possible de respecter les nécessités actuarielles par d'autres méthodes parfaitement réalisables et qui tiennent compte à la fois de notre sens de la justice et des lois antidiscriminatoires du pays.

Ces lois ont permis de dégager un principe selon lequel il n'est plus permis à l'employeur de traiter une femme particulière comme si elle était "la femme moyenne". Il n'est plus loisible à l'employeur de supposer que telle femme serait incapable de soulever un poids plus lourd que celui que pourrait soulever la "femme moyenne" ou qu'elle resterait à son emploi aussi longtemps que la "femme moyenne", ou que son rendement serait le même que celui de la "femme moyenne". Le fait de grouper les personnes selon le sexe lorsqu'il s'agit d'embauchage, d'avancement, de rémunération ou de tout autre geste relevant des relations professionnelles constitue un acte discriminatoire et illégal. L'employeur qui désire engager un employé qui aura à soulever des objets lourds est libre de faire subir à tous les candidats un test d'aptitude à cet égard, mais la loi ne lui permet pas de choisir l'employé en fonction de son sexe. La réalité que la loi reconnaît, c'est que sur le plan du travail, tous les hommes ne sont pas différents de toutes les femmes, que les talents et les aptitudes sont répartis, d'une certaine façon chez les hommes et d'une autre façon chez les femmes, et que ces répartitions, sans être identiques, se recouvrent dans une certaine mesure. Chez les hommes, la "moyenne" peut être différente de celle que l'on trouve chez les femmes, mais on trouve dans un groupe des individus qui ont des talents et des aptitudes équivalant à ceux d'individus de l'autre groupe.

Il en est de la longévité comme de ses talents et aptitudes. S'il est vrai que la "femme moyenne" vit plus longtemps que "l'homme moyen", les tables de distribution des âges de mortalité se recouvrent dans une large mesure. Si, à un moment donné, on choisissait au hasard 1,000 hommes et 1,000 femmes âgés de 65 ans, et si on les suivait ensuite pour noter l'âge qu'ils auraient à leur mort, on trouverait probablement entre les deux groupes un chevauchement de 81%.[1] Cela revient à dire que l'on pourrait apparier 81% des hommes avec 81% des femmes du point de vue de la longévité. Il resterait 19% de la population, dont 9½% seraient des hommes de longévité relativement faible, et 9½% des femmes de longévité relativement forte, sans qu'il y ait contre-partie dans le sexe opposé.

Permettre aux employeurs d'accorder des pensions plus élevées aux hommes qu'aux femmes invoquant la différence de coût, c'est permettre aux employeurs de supposer que tous les hommes sont comme "l'homme moyen" et que toutes les femmes sont comme "la femme moyenne" sur le plan de la longévité. Cela permet aux employeurs d'arranger les choses de telle sorte que les épargnes réalisées, au chapitre des prestations, sur la tranche de population de 9½% constituée par les hommes qui meurent jeunes reviennent entièrement aux hommes, alors que 81% d'entre eux sont dans le groupe qui chevauche.

Le surcroît de frais occasionné par la longévité plus grandes des femmes qui forment la tranche de 9½% de la population est entièrement réparti par les employeurs sur les femmes, dont 81% sont dans le groupe qui chevauche. Cela, "parce que" tous les hommes se trouvent à avoir le même sexe que la tranche de population à longévité plus faible, et que toutes les femmes ont le même sexe que la tranche de population à longévité plus grande. Il s'agit ici de savoir s'il est légal de continuer à utiliser ainsi l'expression "parce que" dans ce contexte. Nous sommes d'avis que la loi, qui interdit de grouper les employés selon le sexe, exige que les prestations et les frais en question soient également partagés. Les régimes de pension qui groupent les employés selon le sexe constituent,

... suite à la page suivante

pour la majorité des personnes qui font partie du groupe où il y a chevauchement, un déni du principe du salaire égal pour un travail égal.

Les femmes de ce groupe dont les pensions sont faibles se trouvent, pour dire le moins, dans une situation peu enviable. La différence considérable de niveau de vie n'est même pas compensée, dans leur cas, par le douteux avantage d'une longue vie; elles ne coûtent pas au système plus cher que les hommes: leur seul crime est d'être du même sexe que les quelques personnes qui forment le groupe à forte longévité. C'est un prétexte assez mince pour les condamner à un niveau de vie très inférieur à celui des hommes. La politique gouvernementale exprimée par les lois antidiscriminatoires exige que le soutien des 9½% de la population qui vivent plus longtemps soit réparti sur toute la population, au lieu d'incomber seulement aux 40½% qui ont le même sexe mais non la même longévité.

Le caractère discriminatoire des régimes de pension est très bien illustré par la façon inconséquente dont beaucoup d'institutions traitent les prestations de décès et les rentes. Dans le cas des prestations payables en cas de décès avant la retraite on ne tient pas compte du taux de mortalité plus élevé chez "l'homme moyen" et des frais plus élevés que cela entraîne, et souvent, les prestations versées aux personnes des deux sexes sont les mêmes. Dans le calcul des indemnités de décès, on accorde souvent aux hommes "l'avantage" de se fonder sur la moyenne des taux de mortalité des deux sexes. Il arrive que le même établissement, lorsqu'il s'agit du régime de retraite, donne encore l'avantage aux hommes en calculant séparément la longévité moyenne des deux sexes. Si l'établissement (et la compagnie d'assurance qui souscrit le contrat) avaient réellement à coeur de fonder la répartition des avantages sociaux sur les coûts, ils n'agiraient pas d'une manière aussi inconséquente. À notre avis, ce que l'établissement et la compagnie d'assurance veulent, c'est plutôt profiter de la situation de faiblesse de la femme dans un marché du travail discriminatoire pour refuser à celle-ci des avantages égaux à ceux des hommes. Énoncer des principes qui sanctionnent ce genre de comportement en vertu des lois antidiscriminatoires, c'est se moquer de ces lois.

Passons maintenant à la question de "l'équilibre actuariel". Nous voulons souligner qu'il y a de nombreux moyens de réaliser cet "équilibre". Il est certain qu'un régime est financièrement sain si la totalité des frais escomptés égale la totalité des indemnités prévues, plus une certaine marge pour les frais d'administration qui pourraient s'écarter des normes dictées par l'expérience, etc.

On peut y arriver en divisant la population, pour le calcul des taux, en petits groupes nombreux, ou en ne comptant qu'un seul groupe pour toute la population. Par exemple, il serait actuariellement possible de répartir la population — et par conséquent les tarifs — en fonction de la pression sanguine, du nombre de cigarettes fumées au cours des années antérieures, du nombre de parents morts du cancer, et ainsi de suite. Il serait tout aussi valable, sur le plan actuariel, que la loi exige de mettre toute la population dans un seul groupe et de répartir sur tous les individus le coût total de l'opération.

Quelle répartition de la population les politiques gouvernementales devraient-elles encourager, à des fins d'assurance? Certaines formes de répartition encouragent des comportements souhaitables et sont imposées à bon droit par les politiques gouvernementales. Le fait que les primes d'assurance incendie sont plus élevées pour les maisons de bois que pour les maisons de brique encourage l'utilisation de matériaux de construction plus sûrs. Imposer des primes d'assurance automobile plus élevées aux chauffeurs sujets aux accidents encourage la prudence au volant. Imposer des tarifs d'assurance-vie plus élevés aux personnes âgées qu'aux jeunes, c'est encourager les jeunes, qui ont plus besoin de cette protection, à s'assurer suffisamment. Mais on n'encourage aucun comportement souhaitable en divisant la population selon le sexe et en faisant payer les rentes viagères plus cher aux femmes qu'aux hommes. L'intérêt n'y gagne rien. Au contraire, le fait de diviser la population selon le sexe à des fins de pension permet aux employeurs d'être injustes envers les femmes, ce qui est contre la politique gouvernementale.

Nous avons mis au ban la discrimination en matière d'embauche, d'avancement et de rémunération. Permettre à la discrimination de continuer à s'exercer dans le domaine des avantages sociaux en permettant que les femmes touchent des pensions inférieures à celles des hommes, ce serait consacrer, sans motif avouable, le dernier vestige d'un régime discriminatoire.

Bref, il s'agit essentiellement de savoir "ce qui est socialement souhaitable". Or le fait d'établir une distinction entre l'homme et la femme en matière de pensions ne donne rien de bon sur le plan social. Et le fait que cette distinction soit possible ne constitue pas un motif suffisant pour la justifier.

Georges Frappier
Secrétaire général adjoint de l'ACPU dans le domaine des bénéfices sociaux.

Note 1:
Les chiffres cités dans ce document sont tirés de: Tables de mortalité: Canada et les provinces, 1970-72, Statistique Canada, 84-532, Voir annexe I.

Employee Benefits

REPORT OF THE TASK FORCE ON EMPLOYEE BENEFITS UNDER PART X OF THE EMPLOYMENT STANDARDS ACT.
Ministry of Labour. Ontario, April 1975. 169 pages.

The Task Force was originally established to consider Section 4(1) (g) of the Ontario Human Rights Code and published an Interim Report in October 1974. One of its recommendations at that time was that this section be transferred to the Employment Standards Act and the implementation of this recommendation by the Government resulted in the change in the Task Force indentification.

Chapter Two is a summary of existing provisions in employee benefit plans. Its comment on early retirement provisions of pension plans which follows may be of interest. The Report states:

> "There is a trend toward including a provision in the plan for early retirement, at the employee's option, of an unreduced pension, subject to more stringent age and service requirements than those specified for a reduced early retirement pension. For example, a reduced early retirement pension may be available at age 55 with 10 year's service, while an unreduced early retirement pension is available at age 60 with 30 year's service."

Chapter Three reviews the development of the legislation and policy outside Ontario. (Ontario is dealt with in Chapter One) and covers Canadian and United States Federal Legislation as well as that of the Provinces.

The remaining seven Chapters deal with the recommendations of the Task Force. Generally and predictability they recommend that there should not be discrimination in employee benefits with respect to age or sex and that the criterion of "head of household" shall not be used. One major question was whether antidiscrimination practice required equal benefits or equal costs given that mortality and morbidity vary by age and by sex. The Task Force opted for "equal benefits" on the grounds that this was more "socially relevant" although it did not adhere strictly to this principle in all cases. Its recommendations with respect to pensions for instance still do not seem to be entirely consistent. In the case of defined benefit pension plans it recommends that equal benefits must be provided regardless of sex but in the case of money purchase plans it would permit unequal benefits based on the difference in mortality for men and for women. It rejects the use of "unisex mortality tables" essentially on the basis that it appeared to be impractical to prevent the purchase of annuities outside Ontario where men could take advantage of the higher benefits available when separate mortality tables are used. (The Task Force makes this assumption but appears not to have undertaken any study of whether or not it might in fact be possible to require the purchase of annuities only from those who used "unisex mortality tables"). The Task Force specifically forbids unequal employee contributions to pension plans but does not *require* — although it would appear to *permit* — unequal employer contributions to money purchase plans sufficient to provide roughly equal benefits for men and for women. At least this is an advance over the decision of the New Brunswick Human Rights Commission which reached the mutually inconsistent conclusions that antidiscrimination *required* equal benefits in the case of fixed benefits plans, and therefore normally unequal employer contributions, but *required* equal employer contributions in the case of money purchase plans. Interestingly the Report refers (on page 39) to recent decisions of the Equal Employment Opportunity Commission in the United State which ruled that the use of separate acutuarial tables for males and females was a violation of Title VII. These cases were brought against universities by the American Nurses' Association.

The Task Force recommends that group life insurance plans not be permitted to taper benefits with increasing age as is now common. It does however make an exception in the case of "employee-pay-all" plans recognizing that otherwise such plans would be unlikely to continue. It is not entirely clear — at least to this reviewer — that strict adherence in this case to the principle that "assumed need" may not be taken as a criterion is entirely logical and that it will lead to "socially desirable" results. It is possible that adherence to this recommendation will mean either that amounts of basic life insurance will be reduced (this would be possible since employers are to be permitted to "equalize down" contrary to the recommendation in the Interim Report) or large amounts of money may be spent on life insurance for older employees who may not need it at the expense of using the money for more "socially desirable" benefits. If the amount of employer-paid insurance is reduced then employees who do need more insurance — most of the younger ones — will have to buy it out of tax-paid income and forego the benefit of getting it "tax free" through the employer. Since life insurance normally is completely eliminated at age 65 it is not entirely clear why it is essential that the full amount must be retained up until that point. Of course group life with a modest amount of lump sum insurance and reliance primarily on survivor benefit insurance is consistent with actual rather than assumed need and probably provides some cost tapering since the time the dependents will have to be supported generally declines as the employee ages.

In the case of pregnancy the recommendation is that complications of pregnancy (where conception occurs during a period when the employee was actively employed) be covered by disability plans and that unrelated disability

occuring during pregnancy but when the employee is actively employed also be covered. The Task Force recognizes that employers may exclude employees from coverage under disability plans when they are on leave and the Task Force considers this matter outside its terms of reference but it does suggest that those on maternity leave should not be treated less favourably than people on educational leave i.e., if the latter have continued coverage under disability plans so should the former.

Survivor benefits can be limited to spouses but common law spouses should be included although the Task Force chooses not to establish its own definition of "common law". It recognizes the problems created when benefits are terminated by subsequent remarriage but concludes that because of the costs of removing the remarriage provisions that it should not recommend any change. Survivor benefits for children are not to be related to marital status of the parent.

On page 84 it recommends that employee contributions to pension plans not be allowed to vary by marital status even though survivor benefits are provided and then says that "this recommendation is inconsistent with our recommendation concerning employee contributions toward surviving spouses' benefits under life insurance plans" where (page 87) they recommend that married employees be charged more. However these two proposals may not be entirely inconsistent. In the case of group life the insurance company charges premiums each year estimated to cover its risk for that year. Either the employee has no dependants entitled to survivor benefits and is charged accordingly or he does have such benefits and is charged an appropriately greater amount. The risk to the insurance companies depends on the existence of dependants entitled to benefits and their ages but not in any way on the length of service of the employee. But when we come to the matter of a defined benefit pension plan with survivor benefits then the situation is entirely different. Here the survivor benefits are related to the employee's covered service to date. If we are not to charge everyone the same percentage of income what are the alternatives? If we were to charge those without dependants less then the plan would have to provide either that newly acquired dependants would be entitled only to coverage related to the employee's service after he acquired the dependants or he would have to buy up past service for the dependant. And of course if he subsequently ceased to have dependants then he would presumably be entitled to a refund of excess payments in the past. Obviously such arrangements are possible but they are probably less satisfactory than the general and recommended practice of charging everybody the same premium.

The Task Force decided that it should define "age" for purposes of nondiscrimination in fringe benefit plans as 18 to 65. It also concluded that employers might establish a minimum age of entry for pension plans but not a maximum age. It says

> "subject to uniform service requirement and a normal pensionable age of 65 years, maximum elgibility ages below the age of 65 years for access to pension plans shall not be allowed."

However it is not entirely clear that its recommendation really ensures fair and "socially desirable" treatment. The Task Force does not appear to prohibit delayed vesting and this is also permitted under the Pension Benefits Act of Ontario. Consequently it would appear that where retirement age is, say, 65 and there is, say, no vesting until after five years of service that young and old will still not be treated equitably. The young employee will be able to earn a vested pension including benefits for his first five years of service while the new employee age 60 or more will not be able to obtain any benefits.

Finally the Task Force recommends that employers not be permitted to terminate LTD coverage before age 65 or normal pensionable age whichever comes first.

E.D. Maher

Future trends in Employee Benefits. A symposium held in Toronto, April 1974. Canadian Studies: No. 37. The Conference Board in Canada, Ottawa. 71 pages. $4 for Associates & $20 for non-Associates.

Symposium participants included representatives from industry, from labour, and from consultants in the employee benefit area. The Chairman was Professor W. Donald Woods of the Industrial Relations Centre, Queen's University.

The treatment is rather sketchy but still worthwhile for those actively concerned with fringe benefits. The supervisor of Benefit Services for Ontario Hydro expected the following changes in sick leave practices; reduced waiting period, increased levels of indemnity, and a trend toward insured arrangements to take care of sickness and disability on the basis of need rather than seniority. He expected that few new "accumulative" sick leave credit plans will be instituted.

The treatment of "unisex" mortality tables by the Executive Vice-President of William M. Mercer Ltd. was peculiar. He stated that he hoped that the Ontario Task Force on Employee Benefits would not favour the use of "unisex" motality tables because "An annuity for a female costs 10 per cent more than for a male of the same age,...". But then he went on to say "... and we run into the question of what constitutes unfair discrimination. Is it inequality in the *amount* of benefit or in the *value* of the benefit? This is not an easy question because, when you turn to life insurance, the positions are reversed and the unit cost of insurance for males is well above that for females." While it is true that one can argue about whether equality should be in the benefit or in the cost (the Task Force has since made up its mind that it is benefits which must be made equal) it is difficult to understand how one can logically take a stand against "unisex" mortality tables for pensions without at the same time taking a stand against their customary use for life insurance!

Among the significant trends in employee benefits mentioned by the representative of The Thorne Group were the development of survivor benefit plans of life insurance which relate survivor benefits to the employee's salary at death rather than paying a lump sum, the continuation of life insurahce beyond retirement (In later discussion some indicated that they considered this an undesirable development and a poor use of funds if carried beyond a token "burial expense"), a replacement of disability and death benefits in pension plans by long term disability insurance, and the introduction of provisions for Cost of Living adjustment in pensions, and steady increases in the extent of the holiday periods provided. There was general recognition that private firms could probably not afford to provide automatic open-ended adjustments for increases in the Consumer Price Index. However one suggestion that adjustments might be limited to 3% per annum with a five year time lag suggests that some people might well be reminded again of Lord Keynes' comment that "In the long run, we are all dead".

It was also suggested that there would probably be a slowing down in the recent trend towards early retirement provisions because of the very high costs involved although the comment was also made that the existing actuarial reductions for retirements before normal retirement age might be liberalized.

E.D. Maher

E.D. Maher is Chairman of the CAUT subcommittee on pensions and teaches Business Administration at the University of New Brunswick.

BOOKS ... *from p. 18*

area in which universities have acquitted themselves well, but in the public and secondary schools the scene is one of desolation. In the Toronto senior public school attended by my 12-year old daughter, the Canada shelf contains no more than 50 books — and of those perhaps ten could be of any conceivable use for instructional or research purposes in the public school classroom.

The **Report** also seems to lean toward imposing requirements that Ontario's educational curricula should specify books written and published in Canada. Again, this kind of action does not automatically commend itself. But when the decayed state of Canadian publishing is recalled — a collapse that I believe began when educational sales first seriously declined — then perhaps legislation of this kind is the only course if Canada is to keep any domestic publishing industry.

For all its unwillingness to take a firm position, the **Report** is a valuable document. It indicates that the problematic cultural survival of this nation is now recognized, even by its legislators. It also points the way toward some possible solutions, and that is something that even optimistic nationalists would not have expected only a few years ago.

J. L. Granatstein

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The Labour Relations Act

Before the Ontario Labour Relations Board

Dans son jugement accordant l'accréditation à l'Association du personnel académique de l'Université Carleton, la Commission des relations de travail de l'Ontario s'est déclarée en faveur de l'incorporation des présidents de département à l'unité de négociation.

Ce jugement risque d'avoir de profondes répercussions sur la composition des unités de négociation lors des prochaines demandes d'accréditation impliquant les professeurs d'université, tant en Ontario que dans les autres provinces. En conséquence, le Bulletin reproduira le texte complet de la décision de la Commission, décision qui fut rendue publique en juillet 1975.

In granting certification to the Carleton University Academic Staff Association, the Ontario Labour Relations Board decided in favour of incorporating department chairmen in the bargaining unit.

Because the verdict may have far-ranging results in deciding bargaining unit composition in future certification applications involving university teachers, both in Ontario and in other provinces, the Bulletin is reproducing the entire Board decision. The verdict was made public in July of this year.

In its decision of April 4, 1975, the Board set out the partial agreement of the parties as to the description of the appropriate bargaining unit: see paragraph 8. At the commencement of the reconvened hearing on May 6, 1975, counsel advised the Board that agreement had been reached between them on all outstanding bargaining unit description problems, save as to the status of Chairmen of Departments. Accordingly, the sole issue remaining to be determined is whether the persons holding the rank of "Departmental Chairman" are properly included within the bargaining unit. In seeking their exclusion, the respondent relies upon the provisions of section 1(3) (b) of **The Labour Relations Act,** which reads:

> "1.— (3) Subject to section 80, for the purposes of this Act, no person shall be deemed to be an employee,
>
> (b) who, in the opinion of the Board, exercises managerial functions or is employed in a confidential capacity in matters relating to labour relations."

This is the first time that the Board has been called upon to define unit appropriateness in an application for the full-time faculty of an institution of higher education. For that reason, it is necessary to review the evidence in detail and to analyze the unique aspects of decision-making within a University. As will appear, counsel for the applicant contends that the traditional tests for determining managerial status in an industrial setting are not appropriate in making the same determination at a university. Counsel for the respondent, on the other hand, while conceding that there are material differences between decision-making in an industrial enterprise and decision-making at a university, contends that there remain compelling reasons for excluding departmental chairmen, related, in the main, to their managerial link with other administrative officials, principally Deans, a category excluded by agreement of the parties.

The parties agreed that evidence of Dr. Peter King, Chairman of the History Department, would govern the Board's decision as to the status of all Departmental Chairmen. Before turning to an examination of Dr. King's evidence, it will be helpful to describe the basic organizational structure of Carleton University. Carleton University is a bi-cameral institution, with a Senate, concerned mainly with academic matters (sections 21 and 22 of **The Carleton University Act,** S.O. 1952, c. 117, as amended) and a Board of Governors (section 15) responsible, generally, for the government, conduct and management of the University, including the appointment of the President, Deans of Faculties and members of the University teaching staff. The chief executive officer of the University is the President. For the purpose of academic instruction, the University is divided into a number of Faculties and Schools, i.e., Faculties of Arts, Science, Engineering and Graduate Studies, Schools of Commerce, Journalism and Public Administration, etc.

Each faculty is headed by a Dean and contains a number of departments. The Department of History, chaired by Dr. King, is one of fifteen departments within Division I of the Faculty of Arts (the Humanities Division). Within the History Department there are approximately thirty full-time tenured faculty members, four part-time or sessional lecturers, sixteen or seventeen graduate teaching assistants and several summer lecturers. It is common ground that the basic organizational unit of the University is the department. The department is comprised of all members of the faculty involved in teaching one or more subjects in a particular discipline. Each department has its own chairman.

We shall be examining the intra-departmental decision-making process in detail; however, it is generally true to say that, unlike an industrial enterprise, decision-making at this particular University tends to flow upwards from the department through the Dean to the President, with whatever approval or confirmation is required by various faculty or advisory committees. Moreover, decisions tend to be made collectively, at least at the departmental level. There was repeated reference in the evidence and in the submissions to the "collegial" nature of decision-making at a university. A less arcane and more comprehensible explanation is that at the faculty level, decision-making is shared by the entire faculty and operates through a committee system.

In the History Department there are eight standing committees, comprised of faculty and student representatives as follows: the Committee of Fields of Appointments; the Selection Committee; the Promotion and Tenure Committee; the Curriculum Committee; the Graduate Programme Committee; and three Degrees Committees: one for Pass B.A., one for Honours B.A. and one for M.A. Membership on the committees is determined by the entire faculty on the recommendation of the Chairman of the Selection Committee. The Departmental Chairman is required to chair the Committee on Promotions and Tenure, although he may sit on and chair other committees. The work of the committees is indicated by their titles. For example, the Committee of Fields of Appointments determines what areas of a particular discipline are to be taught in order that the appropriate faculty appointments may be sought; the Curriculum Committee decides on course content, including curriculum changes, new courses, etc. Generally, committees report to the department, meeting in plenary session. Decisions at all meetings, whether full department meetings or committee meetings, are arrived at either by informal consensus or by majority vote. The membership on committees is subject to annual change.

Any full-time member of the department, regardless of his rank and whether or not he holds tenure, is eligible for election as Department Chairman. Nominations may be made by anyone within the department. If more than one candidate is nominated, the selection is by ballot amongst all of the members in the department. Dr. King was chosen by acclamation in July 1973 and has served as Department Chairman continuously since that time. The term of office is three years and the incumbent is eligible to succeed himself once. Certain elected student representatives are considered to be members of the department for the purpose of selecting the chairman as well as serving on the various committees. If the Department Chairman's term is not renewed, he can, and usually does, revert to his position as a faculty member. The formal appointment of the Chairman is confirmed by the President, after consultation with the Dean.

The duties of the Chairman of a Department or the Director of a School or Institute are summarized in Exhibit 22, a document issued by the respondent's Senate office on November 1, 1974, entitled "Academic Organization Carleton University", which reads, in part, as follows:

> "1. to call and preside over meetings of the department;
> 2. to represent the department in administrative matters;
> 3. to bring to the attention of the department for discussion and action matters pertaining to the work and efficiency of the department;
> 4. to oversee the internal administrative business of the department in consultation with other members, and to delegate administrative activities as he sees fit;
> 5. to bring forward on behalf of the department, after consultation with other members, proposals requiring the approval of the appropriate Faculty Board, or of the Senate;
> 6. to designate, in consultation with other members of the department, the members who will take charge of or participate in courses or programs of the department. (In case of disagreement, the matter shall be referred to the appropriate Dean.)
> 7. (Previously the Department Chairman prepared the department's library estimate but since April, 1969, library purchasing is done on an overall basis by the Librarian and the President. Departments may of course recommend specific books for acquisition.)
> 8. to submit to the appropriate Dean in writing, after consultation with other members, an estimate of the department's other budgeting needs for the ensuing year;
> 9. to perform such other duties in connection with the work and administration of the department as the President, or the appropriate Dean, may assign him."

Certain of the Departmental Chairman's duties, i.e., those relating to budget, tenure, hiring, promotion, etc. are of particular relevance to the shared or collegial decision-making process and they are examined in detail below. However certain miscellaneous duties may be noted at this point. For example, as the above list indicates, the Department Chairman prepares the teaching schedule, subject to ratification by the full department. In preparing course assignments, he may be required to deal with particular requests and preferences expressed by faculty members. If a particular faculty member's preference cannot be accommodated to his satisfaction, he may carry the matter forward to the Dean, although, in Dr. King's experience, there have been no disagreements which he has been unable to resolve amicably through direct discussions with the faculty members involved.

The Chairman does not supervise his colleagues in their classroom work or in any other respect. Included in the Faculty Handbook (Exhibit 11) is an item entitled "Teacher Evaluation", where reference is made to assessments of faculty members by "senior colleagues" and to "student ratings" of faculty members. Nowhere in the evidence was it suggested that the Chairman plays a role in regular evaluations, except in committee presentations dealing with promotion and tenure, the details of which are examined later. The Chairman does not normally have occasion to deal with student complaints concerning instructors. Dr. King testified that a student with a complaint or problem would, instead, approach one of the faculty advisors appointed for the purpose of student consultation by the full departmental meeting.

A Chairman normally performs some teaching duties. Dr. King teaches one and a half courses, and in the next academic year will teach two courses. He sits on several non-departmental committees (for example, the Senate Executive Committee), not by virtue of his office as Chairman but in his capacity as a faculty member. The Chairman plays no role in the establishment of the salaries of his departmental colleagues. He does not take part in the faculty grievance procedure. He receives the normal salary of an Associate Professor, together with a stipend or honorarium of $1000 (plus expenses) in consideration of extra duties performed as Chairman. When a member of the faculty wishes special time off, he makes application to the President, having first discussed the matter with the Chairman to determine whether the request can be conveniently granted. It is normal for the President to ask the Chairman for his recommendation with respect to special leave applications and the Chairman's recommendation is usually followed.

As a matter of routine, the Chairman signs applications by individual faculty members for research grants, not, however, as signification of approval and support, but merely as acknowledgment that the application is being made. Faculty members requiring graduate teaching assistants or markers normally make their own arrangements, subject to confirmation by the Chairman that funds are available within the current budget. Generally, it is clear that the Chairman is the single person within the department who communicates with the Dean in all matters of departmental administration. Dr. King stated that the Dean's confidence and support is essential in order that the Chairman may carry out his administrative duties effectively. Equally, he requires the support and cooperation of his colleagues.

Dr. King spends less than one-half of his working time on administrative duties and responsibilities as Chairman. As a rank-and-file faculty member, he spends approximately thirty hours per week either teaching or preparing for teaching, doing administrative work related to teaching, or in committee work unconnected with his work as Chairman. Approximately twenty hours per week are spent in administrative work as Chairman, either in committee meetings or other miscellaneous tasks; e.g., preparing for meetings, reviewing teaching schedules, reading or preparing memoranda, conferring with colleagues, reviewing the curriculum, working on the budget, etc. He agreed that, in general, it is true to say that as Chairman he co-ordinates the work of his departmental colleagues.

The more important functions of the Chairman many of which illustrate the collegial nature of departmental decision-making deserve more detailed examination.

(a) **The Departmental Budget**

The Chairman, following consultation with his departmental colleagues, prepares a preliminary budget (on the basis of funds allotted for the preceding year, together with an inflation allowance) for submission to the Dean. It is comprised of two major items: salaries for non-academic staff and office supplies and equipment. Faculty salaries are not included; in fact, the Chairman does not know the salaries of his colleagues, nor does he participate in the procedures followed at higher levels in approving or amending the preliminary budget. Excerpts from the departmental minutes (Exhibit 20) disclose that budget cuts, made by the Dean, are simply reported as a *fait accompli* by the Chairman to the departmental meeting. Such reductions in the preliminary budget can and do affect the number of available academic support staff (i.e., sessional lecturers, graduate teaching assistants).

(b) **Sabbatical Leave**

There is a standing, University-wide policy on sabbatical leave for full-time faculty, contained in the Faculty Handbook (Exhibit 12) and approved by the Board of Governors. While the Chairman, together with the Dean, administers the leave policy (see, for example, the memorandum of November 14, 1972 from the President, requiring the Dean and the Chairman

jointly to arrange the scheduling of sabbatical leave) there is no evidence that the Chairman plays any role in formulating that policy. Any disagreement between the Chairman and Faculty members concerning entitlement to, or timing of, sabbatical leave is resolved by the Dean. If sabbatical leave has to be postponed, notification of postponement is given by the Dean, rather than by the Chairman. Similarly, if a faculty member wishes to withdraw his notice of intention to take sabbatical leave within the six-month period proceeding commencement of leave, the agreement of the Dean and the President (not the Chairman) is required: see Policy on Sabbatical Leave, Exhibit 12.

(c) **Hiring**

(i) Full-time Faculty

Before recruitment can occur, the Department's Committee on Field of Appointments must determine what area within a particular subject requires staffing. The Committee's decision is then reported to, and ratified by, the full departmental meeting, and only then is the Chairman authorized to solicit applicants. The Selection Committee reviews all applications and determines which applicants should be interviewed, although the Chairman may screen and reject applicants who are obviously unqualified. Interviews are conducted by the entire Selection Committee, whose decision may be reported back to the full departmental meeting. The proposed appointment is then discussed with the Dean ("with the involvement of the appropriate departmental committees") who authorizes the Chairman to make an informal offer to the applicant, on terms as to salary and rank prescribed by the Dean. Although the Chairman may be given limited mandate to negotiate salary, the permissible range of negotiations is stipulated by the Dean, and it is clear that the Chairman has no authority to commit the University to a final position. Dr. King agreed that he was a conduit in these matters and that final approval, including the formal offer of employment, came from the President. Matters of administrative detail - e.g., office and secretarial facilities, teaching assistants, etc. -- may be discussed between the Chairman and the applicant, although standard departmental arrangements cover these relatively minor matters.

(ii) Sessional Lecturers

The Chairman has a more significant role in the recruitment and hiring of sessional lecturers who, it is to be noted, are excluded from the bargaining unit. The Chairman discusses particular needs, as well as potential candidates, with his colleagues, both to determine availability and to assess suitability of prospective appointees. Dr. King testified that sessional lecturers "would not be hired if (his) colleagues did not approve". According to the Faculty Handbook, appointments are "handled by the Chairman and the Dean, although the President gets a copy of the appointment. The formal appointment is offered by means of an agreement signed by the Dean". Summer lecturers are engaged in much the same manner, with little or no involvement by the departmental committees.

(d) **Tenure**

No matter is more rigidly structured than the procedure for granting of tenure to full-time faculty members. Each department is required to establish a committee on tenure, consisting of the Chairman of the department and at least four other faculty members, as representative as possible of the ranks and fields of interest in the department. In the Department of History, the Chairman is required to chair the Promotions and Tenure Committee but the University-wide regulations (approved by the Board of Governors) permit departments to specify their own procedure for selecting the Chairman of the tenure committee. Intra-departmental determinations on tenure are given exclusively to the tenure committee. The departmental Chairman is required to present to the committee a detailed statement concerning the candidate, based upon all relevant sources: e.g., *curriculum vitae*, published works, etc., together with an appraisal and recommendation. Following its deliberations, the committee must prepare written recommendations, including any areas of disagreement, signed by *all* committee members.

A complex review procedure is also prescribed. The committee's recommendation is forwarded to the Dean (with copies to the candidate and to the President); the matter is considered by a Faculty (or Divisional) Committee on Tenure, chaired by the Dean and comprising all Chairmen of the Faculty (or Division), together with one member from each departmental committee on tenure. Following deliberations, the Faculty or Divisional Committee makes its recommendations to the President, through the Dean, accompanied by a written statement prepared jointly by the Dean and the appropriate Departmental Chairman, setting out the reasons for the recommendation. The President then makes his decision and communicates it to the candidate and to the Faculty and Departmental Committees concerned. For the unsuccessful candidate, there is a final appeal to the Tenure Appeal Committee, a standing committee of the Senate. Departmental Chairmen are *not* eligible for membership on the Tenure Appeal Committee. Dr. King stated that he did not participate in tenure procedures except as described above, and in particular that he made no informal recommendations, written or oral, to the Dean or any other persons concerning applications for tenure.

(e) **Promotions**

Like tenure, promotions are governed by a University-wide policy, adopted by the President's Advisory Committee on Promotions (Exhibit 10). Each department is required to establish a promotions committee. In the Department of History, the departmental Chairman chairs the Promotion and Tenure Committee, which prepares a list of all persons eligible for consideration for promotion, together with an evaluation of each, based upon scholarship, teaching performance and general contribution to the University. The Chairman then submits the departmental recommendation — prepared and signed by *all* committee members — to the Dean, together with supporting documentation. The Dean may add names to the list of recommended promotions. The departmental Chairman then presents the Committee's recommendations to the Divisional Committee on Promotions. Dr. King pointed out that if the departmental Chairman dissents from the Committee's recommendation on promotion, someone else from the Department is asked to make the presentation. According to the uniform procedures as set out in the Faculty Handbook, the Dean requests confidential letters of recommendation from Faculty "referees" concerning the professional status of each candidate. The Dean then forwards the recommendations to the President for submission to the President's Advisory Committee on Promotions. The formal promotion is made by the President, as contemplated by section 15 (3) of the **Carleton University Act.**

(f) **Dismissals**

Dr. King testified that he has no authority to discharge or discipline his colleagues. The University-wide procedures on tenure and dismissals (Exhibit 11), approved by the respondent's Board of Governors, contains no suggestion to the contrary. The document reads, in part, as follows:

> "There is no formalized body of rules concerning the conduct of the Faculty, nor is there a laid-down procedure for determining the fact of undesirable conduct, and the penalty therefor is presumably denial of tenure or promotion. Suspension or termination of employment are penalties available in response to undesirable conduct. These matters affect the contract of employment between the Faculty members and the University. As such, they are ultimately under the jurisdiction of the Board of Governors, **although this authority is exercised only on the recommendation of the President, usually on the advice of the Dean."** (underlining added).

There is an established procedure for dismissal which reinforces the fact that dismissal is within the President's prerogative; namely, a Presidential investigation, including a committee of inquiry. The only stipulated involvement of the departmental Chairman is at the "informal proceedings" stage, where the Faculty member may be invited by the President to meet with the President, the Dean and the Departmental Chairman. If this invitation is declined and the dismissal is contested, a formal appellate procedure comes into play, in which the Chairman has no apparent role.

(g) **Relationship with Administrative Staff**

The Department of History has one administrative assistant and three secretaries. Potential candidates are sent to the Department by the respondent's Personnel Department. The administrative assistant, who works for the Chairman, is interviewed and presumably accepted for employment by the Chairman, although the formal act of hiring is apparently done by Personnel. The administrative assistant advises the Chairman on the suitability of applicants for the secretarial positions. In addition to dealing with the Chairman's correspondence, the administrative assistant deals with routine administrative matters, such as student records, budget expenditures, requisitioning of office supplies, etc. It is clear that the ultimate supervisory responsibility over the department's administrative staff lies with the Departmental Chairman (although a small proportion of his time is spent in supervising the clerical support staff who are not, of course, included in the bargaining unit). Dr. King testified that, if required, he would recommend dismissal of a secretary, although he hasn't had occasion to do so. This is consistent with the policy statement contained in the Faculty Handbook which provides: "The Bursar is the officer who terminates the employment of the support staff, on the basis of the recommendation of the department head".

(h) **Merit Pay Increases**

Much evidence was tendered concerning the role of the Chairman in authorizing discretionary merit increases for full-time faculty. The President, in a memorandum to all Faculty members, set out procedures to be followed in granting discretionary increases for the academic year 1974-75. The substance of the memorandum was that increases were to be recommended by the Chairman following an assessment of the performance of individual members of the department, such recommendations to be subject to review by the Dean. In fact, however, in the Department of History the matter was dealt with by the entire department at a departmental meeting. Following the unanimous decision of the Faculty, the Chairman recommended that the same average discretionary increase be granted to each member of the department a recommendation which was accepted and carried out by the administration. Acquiescence by the respondent in this departure from the President's memorandum is significant. In our view, evidence of the practical application of policies is of greater probative value than the formal policy itself.

(i) **Confidential Files**

Dr. King testified that he had access to all files in the History Department, including the personal files of his colleagues not available to others in the department. However, he pointed out that most of the material on those personal files dealing with assessments and evaluations would be made available to the Promotion and Tenure Committee. Documents relating to new appointments, including references and evaluations from former employers, would be seen by the Selection Committee. Although the files would contain any recommendations from the Chairman for merit or special salary increases, it is obvious that the Chairman would have knowledge of these matters independently of their inclusion on the files. The files do not contain information concerning wages. It was not established that the Chairman made use of the material in these files in any confidential function relating to labour relations other than those functions performed by the departmental committees, as outlined above.

In the light of the facts described above, we must determine whether the Departmental Chairmen should be excluded from the bargaining unit by virtue of section 1(3)(b) of the Act. This statement of the problem is deceptively simple; the underlying questions are complex and, in some senses, unique: is the managerial test capable of abstract formulation or must it depend upon the particular context in which it arises? If the test varies with the context (as we believe it must), what are the characteristics of the university governance which are controlling: in an institution where decision-making is shared by a peer group, is there a discoverable demarcation line between the administration (the management) and those subject to the edicts of the administration (the faculty)? If so, on which side of the line do departmental chairmen fall?

The first of the underlying questions is the easiest to answer. It is now well established that in particular institutions (notably hospitals) and amongst particular groupings of employees (highly trained technicians, paramedical employees, paraprofessionals, etc.) skill, training and the assumption of responsibility are not necessarily equivalent to the performance of management functions within the meaning of section 1(3)(b) of the Act. Thus we have held that a skilled white collar worker performing complex and important duties and having a measure of independent decision-making power may not exercise managerial functions. The two general tests most frequently propounded are first, whether the particular employee participates in the formulation of policy in a meaningful and significant way; and secondly, whether in the performance of assigned duties he has the capacity to affect the employment status of persons working under him: see **Falconbridge Nickel Mines Limited,** OLRB M.R. Sept. 1966, p. 379; **The Hydro Electric Power Commission of Ontario,** OLRB M. R. Aug. 1969, p. 669; **McIntyre Porcupine Mines Ltd.,** Board file No. 4373-73-R (April, 1975).

It will be seen immediately that these tests are premised on the industrial model of hierarchic authority, where ultimate power resides above — typically, with the plant manager — and filters down through a management chain to the primary level of supervision — the unit supervisor, or foreman. Even in the hospital cases this is so, the difference being that the line between management and non-management is blurred by the importance, complexity and responsible nature of some of the functions performed by non-managerial employees. However, the same basic bureaucratic decision-making structure is present in the hospital as in an industrial enterprise: see **Toronto East General and Orthopaedic Hospital Inc.,** (1974) OLRB Rep. 672; **Ottawa General Hospital,** (1974) OLRB Rep. 714; **Peterborough Civic Hospital,** (1973) OLRB Rep. 154.

The university model is significantly different. While the Board of Governors is, in a general overall sense, responsible for the business operations of the institution, and the Senate for its academic policies, the power of detailed decision-making is diffuse and extends into the institution's basic organizational unit, the department. Moreover, management-type decisions are made not only by the Board of Governors, the Senate, the President, the senior administrative staff, the Deans, but by faculty members as well, and in more recent times, students, as members of various committees or boards. Counsel for the applicant argued that decision-making was reversed in the university, and that all critical management determinations flow from the departmental level to the higher administrative levels. This seems to us to be an over-simplification. Important determinations of general application are made at the higher levels and in this sense, a parallel with the industrial model remains. What is novel is that many important decisions, narrower in scope and having to do with the academic and personnel matters applicable to limited groupings, do originate at the departmental level, subject only to endorsation at the higher levels.

It is clear to us from the evidence that the effective initial decisions on hiring, promotion and tenure, curriculum, etc. are made by the faculty as a group. This, no doubt, reflects the fact that the university is seen, historically, as a community of scholars where common educational interests and goals — at least ideally — transcend the traditional management/non-management distinctions. In **Hamburger v. Cornell University,** 240 N.Y. 328, Mr. Justice Cardoza wrote:

> "A governing body of a University makes no attempt to control its professors and instructors as if they were servants. **By practice and tradition the members of the faculty are masters and not servants.... They have the independence appropriate to a company of scholars."** (underlining added).

This view of the status of faculty members led some universities in early faculty applications before the Natonal Labour Relations Board to contend that no faculty members are eligible for collective bargaining, since all exercise supervisory authority within the meaning of section 2 (11) of the **National Labour Relations Act.**

The N.L.R.B., however, rejected that argument, holding, in effect, that while an individual decision may be supervisory in character, if it applies to others, the same type of decision made collectively, by those to whom the decision applies, loses its supervisory character. Superficially, the result appears paradoxical. However, what we take the N.L.R.B. to be saying is that self-government, by group decision-making, is not the kind of externally imposed supervisory edict to which section 2(11) of the **National Labour Relations Act** is intended to refer. In our view, the same reasoning applies with equal force to section 1(3) (b) of **The Labour Relations Act.** This is not to say that there is no employer-employee distinction in the University. While the collegial relationship is unique, and while many important employment-related decisions are made communally, the faculty as a whole is still economically dependent on the decisions of the supreme governing body, the Board of Governors. Accordingly, there does exist, in our view, a sufficient distinction between the administration and the faculty to enable us to say that faculty members may bargain collectively under **The Labour Relations Act.**

What, however, of the status of Departmental Chairmen? Mr. Sack, on the one hand, contends that the exclusion of Departmental Chairmen would destroy the principle of the collegial decision-making. Mr. Riggs, as well, argues for the preservation of collegiality, but on different grounds, contending that the inclusion of the Departmental Chairman would preclude him from continuing to play his dual role as even-handed representative of both the faculty and the administration at the departmental level. In the absence of that necessary management link, according to Mr. Riggs, the parties will be driven into polarized positions and shared decision-making will be destroyed. Yet, if, as we have concluded below, the Chairman is indistinguishable in any significant respect from his colleagues, all of whom share more or less equally in the decision-making process, the threat of collegiality consists precisely in the respondent's tacit recognition that the traditional collective bargaining regime is appropriate for faculty members.

In short, the potential for polarization to which Mr. Riggs refers already exists, whatever our decision may be as to the status of Departmental Chairmen. Put another way, we are of the view that the survival of the collegial process does not turn on the question of inclusion or exclusion of Departmental Chairmen. A much more fundamental problem faces the parties — and that is whether they can adapt in their relationship to the strains of collective bargaining. Legally, we have concluded that the faculty have the right to organize under **The Labour Relations Act;** the suitability of the traditional bargaining relationship and the capacity of the negotiating parties to fashion a *modus operandi* which will preserve the existing collegial structures remains to be tested.

Within the existing structures, as described in the evidence, we cannot conclude that Departmental Chairmen perform functions sufficiently different from those of their departmental colleagues to warrant their exclusion from the bargaining unit. In the **Duff-Berdhal Report,*** Departmental Chairman is defined as:

> "The administrative head of a department; i.e., a single field of policy. Some Universities use 'head' instead of 'chairman'. The latter perhaps conveys better the sense that he is *primus inter pares.*"

There is no doubt, on the evidence, that the Departmental Chairman has an administrative role. As the **Duff-Berdhal Report** states:

> "He always will and should have certain areas of administrative discretion, but the department's basic policies should be approved collectively."

The real question is whether the Chairmen at Carleton have sufficient individual discretion to justify their exclusion from the unit. We think not. In those areas of greatest importance — hiring, tenure, promotion and dismissal — the dominant role is played by the department collectively. It is true that the Chairman assembles data, makes presentations, gives evaluation reports at higher committee levels, etc., but he does so as a representative of the department, scrupulously expressing the will of his colleagues rather than his personal views, as the particular recommendation proceeds through the review process. In the more routine areas, while some potential for the exercise of independent discretion exists, it is for the most part narrowly circumscribed. Moreover, in a substantive sense, the decisions in these areas are of limited importance. It is true, for example, that the Departmental Chairman has some independent discretion in the employment of the administrative staff and, possibly, summer lecturers. These persons, however, are not in the bargaining unit and we see no reason for excluding the Chairman on that ground. In our view, the infrequent exercise of authority over the office staff poses no danger of conflict of interest within the unit. It is important to emphasize that the overwhelming proportion of the Chairman's duties have nothing whatever to do with the supervision or control of the department's small clerical staff. In this connection, we agree with the observation of the National Labour Relations Board in **Adelphi University,** 195 NLRB No. 107 at page 19; (1972) CCH NLRB ¶23,950:

> "An employee whose principal duties are of the same character as that of other bargaining unit employees should not be isolated from them solely because of a sporadic exercise of supervisory authority over non-unit personnel."

We have read with interest all of the National Labour Relations Board's cases cited to us by counsel. While it is true that the **U.S. National Labour Relations Act** is not identical to **The Labour Relations Act** in dealing with managerial exclusions, the relevant sections of the U.S. legislation are, in effect, a compendium of the major tests which this Board has developed in its assessment of the managerial function. The **National Labour Relations Act** does not speak of managerial functions, per se, but excludes from the definition of employee in section 2(3) "any individual employed as a supervisor". In section 2(11), *supervisor* is defined as —

> "any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment."

Accordingly, the U.S. decisions are, presumptively, of some assistance. However, even on the most careful reading, it is difficult to reconcile what appear to be two contradictory lines of authority. In the first two cases, **C.W. Post Center of Long Island University,** (1971) CCH NLRB ¶22,961, and **Long Island University (Brooklyn Center),** (1971) 189 NLRB 110, the Board excluded Departmental Chairmen as supervisors. In the next two cases — **Fordham University,** (1971) 189 CCH NLRB ¶23,473 and the **University of Detroit,** (1971) 78 LRRM 1273, the Board included Departmental Chairmen in the bargaining unit, ostensibly on the ground that the Chairmen in the latter two cases did not have the power to make effective recommendations as to the hiring and change of status of other faculty members.

As the NLRB's jurisprudence has grown, decisions have continued to go both ways. Frankly, it is difficult to derive a consistent rationale based upon clear evidentiary distinctions. The fact that the NLRB is, itself, aware of its own ambivalence on the issue is reflected in the following passage from **New York University** case, (1973) 83 LRRM 1549:

> "In virtually every case since we asserted jurisdiction over universities the status of department chairmen, or heads, has been in issue. That is true here as well. Attempting to identify and resolve the complex threads, and even the nuances of the relationship among the faculty, administration, and department chairmen is not an easy task, nor one usually susceptible to a completely satisfactory conclusion."

The recent trend before the NLRB, however, appears to favour the inclusion of Departmental Chairmen performing duties similar to the Chairmen at Carleton. As was stated in the **New York University** case:

> "Though chairmen have a certain formal responsibility with respect to decisions on the appointment, salary, promotion, and tenure of full-time faculty, it appears that they act primarily as instruments of the faculty in these matters. The chairmen, in these respects, therefore, stand on the same footing as the faculty, whence their authority flows."

There is very little Canadian jurisprudence to guide us in this difficult determination. Faculty members in two Community Colleges have been certified in British Columbia: Capilano College (Nov. 1973) and Vancouver City College (May 1974). In both, Division Chairmen were included. In **Vancouver City College,** (1974) 1 Canadian LRBR 298, the Board observes at page 302:

> "That function (i.e., the administrative function of the Division Chairman) does not appear to be *management* — the exercise of authority over a group of people. Instead, it appears to be *co-ordination* of the instructional efforts of the many people in the division. The key indicia of managerial authority — the power to hire and fire, to evaluate and promote — are not features of this position. I do not mean to say that the Division Chairmen have no part to play in these decisions because they are made somewhere higher up. As a practical matter (subject to formal approval by the Principal), these are group decisions. The Division Chairman participates in the group and has substantial influence. However, so do ordinary faculty members who, as individuals, are clearly "employees" under the Code. Division Chairmen have no authority to impose discipline, except perhaps by way of verbal reprimands. They do prepare budget recommendations, but that task appears to be largely one of compiling figures with the real judgments about where to cut or where to expand being made elsewhere, again by a group."

Most, if not all, of these observations apply to the facts before us.

The two British Columbia decisions, as we have pointed out, involve Community Colleges. Other Canadian decisions which involve university faculty are of little assistance since, except in one case, no reasons were given. It is of interest to note, however, that in the several situations where faculty units have been certified, all have included Department Chairmen: see **Université du Québec à Montréal** (a decision of a Commission of Inquiry dated January 25, 1971, confirmed by the Quebec Labour Court); **Notre Dame University of Nelson, B.C.** (March 27, 1973); **University of Manitoba** (November 15, 1974); **St. Mary's University Halifax** (April 25, 1974).

For all of the above reasons, we find that Departmental Chairmen are properly included in the bargaining unit.

In our decision of April 4, we determined the appropriate bargaining unit as follows:

> "All full time academic staff and professional librarians employed by the Respondent in the City of Ottawa in the Regional Municipality of Ottawa-Carleton save & except President, members of the Board of Governors elected by the Senate, Assistant to the President, Vice President Academic, Assistant to the Vice President Academic, Deans, Assistant Deans, Directors of Schools, University Librarian, Assistant to the University Librarian & Section Heads for Bibliographic Processing, Central Library Services & Systems."
>
> *"Note 1:* The unit does not include persons engaged in non-academic administrative positions such as faculty registrars, the University registrar, his associate registrars, development officers, information officers & secretary to the Board of Governors, & persons currently employed in departments such as physical plant, finance, administrative services, student services, computer centre, planning, analysis & statistics, continuing education."
>
> *"Note 2:* The unit includes teaching associates but does not include sessional lecturers (part time), technical aides, research officers, laboratory directors or supervisors, program consultant, graduate teaching assistants and persons engaged primarily in research at the University under a grant appointment nor does it include demonstrators, technical officers or field instructors other than those primarily engaged in teaching."

On the taking of the representation vote directed by the Board more than fifty per cent of the ballots cast were cast in favour of the applicant.

A certificate will issue to the applicant.

The Registrar will destroy the ballots cast in the representation vote taken in this matter following the expiration of 30 days from the date of this decision unless a statement requesting that the ballots should not be destroyed is received by the Board from one of the parties before the expiration of such 30 day period.

"T. E. Armstrong"
for the majority

A Minority Report
Decision of Board Member J.E.C. Robinson, Q.C.:

I have had an opportunity of reading the decision of the majority as it refers to Department Chairmen and concede that there is considerable merit in such decision and much of the reasoning therefor.

Inasmuch as this is the initial application before this Board asking it to define an appropriate unit for the full-time faculty of a university, counsel for the applicant has stressed in his argument that we consider the jurisprudential authority found in certain decisions of the National Labor Relations Board.

With the dearth of authority in Canada, one would think that such an appraisal of the jurisprudence in the United States would be of great assistance to this Board in determining the difficult question before us, notwithstanding that such decisions were fashioned within the confines of a different Act, with different social, economic and other considerations prevailing.

A perusal of the decisions of the N.L.R.B. dealing with Department Chairmen indicates that the Department Chairmen in the various institutions of higher education in the United States had relatively similar duties and responsibilities and also that such duties and responsibilities were similar to those shared by Department Chairmen at Carleton University. Notwithstanding this striking similarity, in slightly less than one-half of the determinations concerning Department Chairmen, they were excluded from the bargaining unit. (See: **Long Island University (Brooklyn Center),** 189 N.L.R.B. 909; **Adelphi University,** 195 N.L.R.B. 640; **Syracuse University,** 204 N.L.R.B. No 85; **Farleigh Dickenson University,** 205 N.L.R.B. No. 101; **Point Park College,** 209 N.L.R.B. No. 152.)

While the N.L.R.B. initially would seem to have excluded Department Chairmen from the bargaining unit, that pattern has not prevailed through to the present time. One may surmise that such change was made after the N.L.R.B. was able to see how the pattern of bargaining developed.

Since no pattern of bargaining has developed in this jurisdiction, one is not able to make such surmise.

Both counsel for the applicant and the respondent argued that in these unique circumstances there should be a preservation of the collegial aspect of decision-making: but argued in support thereof that different results should follow.

There is little argument that in many decisions, the Department Chairman seeks the approval and consent of other members of the faculty in his department.

The fact remains, however, that, in the traditional sense, collective bargaining tends to produce a differentiation between the supervisor and the supevised which to some extent undermines the collegiality which heretofore obtained. Thus, while there may be a sharing of authority between faculty and Department Chairmen in a horizontal way, there is also a vertical sharing of authority between the Department Chairmen, the Dean and the Senate in a vertical way. Thus it is apparent that managerial authority is shared in the university in many ways.

In my opinion, and I would so find, this Board should do everything in its power to maintain the *status quo* of collegial decision-making and should exclude Department Chairmen from the bargaining unit. To do otherwise, it would seem, would be to end the horizontal managerial decision-making authority presently resident in the faculty and to vest it in a very few hands such as the Dean and the Senate.

To include the Department Chairmen in the bargaining unit would be to remove from the department the only person who is able to speak on behalf of management and the only person who has the intimate knowledge of the department and the professional concerns of the faculty in that department.

It is not my intention to examine in detail the traditional indicia of the Board in determining who should be excluded as being managerial within the meaning of section 1(3)(b) of **The Labour Relations Act.**

It will suffice to say that I place different nuances upon the evidence than do my colleagues; and even adopting the traditional tests, I would find that Department Chairmen exercise managerial functions within the provisions of **The Labour Relations Act.**

It may well be that in this embryonic phase of determining the status of Department Chairmen at universities in general, and at Carleton University in particular, the Board must resolve it as a policy matter. If this be so, I would content myself in finding that in the preservation of the existing non-adversary structures, Department Chairmen should be excluded from the bargaining unit.

In the future, of course, it may well be that the evidence concerning Department Chairmen at another university will constrain me to find that they should be included in the bargaining unit. However that may be, I would find that at this period of time, based upon the evidence obtaining in this particular university, Department Chairmen should be excluded from the bargaining unit.

"J.E.C. Robinson"

* **"University Government in Canada"**, Report of a Commission sponsored by the Canadian Association of University Teachers and The Association of Universities and Colleges of Canada, U. of T. Press, 1966.

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Memorandum 75:41 Note de service 75:41	**Collective Bargaining Corresponding Members/Les membres correspondants du comité sur les négociations collectives**	July 14, 1975 14 juillet 1975
Memorandum 75:42 Note de service 75:42	**Membership / Mailing List / Liste des membres de l'ACPU**	July 21, 1975 21 juillet 1975
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Memorandum 75:46 Note de service 75:46	**Faculty Association Newsletter / Communiqué des associations de professeurs**	August 1, 1975 1 août 1975
Memorandum 75:47 Note de service 75:47	**Calculation of Fee Discount for Membership Fees in CAUT / Calcul du rabais de la cotisation à l'ACPU**	September 4, 1975 4 septembre 1975
Memorandum 75:48 Note de service 75:48	**Fee Remittance Forms 75/76/Formulaires de versement des cotisations 75/76**	September 6, 1975 6 septembre 1975
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UNIVERSITY OF THE SOUTH PACIFIC. **Administrative Studies.** A Lecturer/Senior Lecturer is required for teaching at the undergraduate level and in post-experience and senior in-service courses. The person appointed will be equipped to apply the behavioural sciences and/or quantitative techniques to management problems. He will have a sound academic background; practical experience and previous experience in training will be an advantage. Salary according to experience and qualifications in one of the following scales: Lecturer — $F5951 X 209 — 7832; Senior Lecturer — $F8096 X 230 — 9476. 10% gratuity for contract appointment, superannuation contributions, partly furnished housing at rental of 15% of salary, appointment and termination allowances. Other allowances in certain cases. Formal applications should contain full name; date and place of birth; nationality; marital status; educational qualifications; employment history and experience; names and addresses of three referees; general statement of physical fitness; date appointment could be taken up. Further particulars including an outline Terms of Service are available from: The Registrar (Post 75/52), University of the South Pacific, GPO Box 1168, Suva, Fiji to whom 6 copies should be returned by 29 November 1975.

UNIVERSITY OF WESTERN ONTARIO. **Department of Anatomy.** Applications are invited from persons to fill a vacancy in this department at the level of Assistant or Associate Professor. Minimum qualification is a professional degree in Medicine or Dentistry or a Ph.D. in Anatomy. Duties include a major responsibility in the teaching of gross anatomy to Medical, Dental, Honours and Graduate students. A person with proven lecture and laboratory teaching ability would be preferred, but would consider inexperienced but promising candidates. The research interests of the successful candidate are not specified. However research abilities should be such that candidate may attract funds for support of research and graduate students. Salary is negotiable according to qualifications, teaching and research ability and experience. Position to be filled by July 1, 1976, subject to the availability of funds. Applications along with detailed curriculum vitae and the names of at least two referees to be sent to Dr. Donald G. Montemurro, Professor and Chairman, Department of Anatomy, Health Sciences Centre, **University of Western Ontario, London,** Ontario, Canada, **N6A 5C1.**

UNIVERSITY OF WINDSOR. **Department of Biology.** Evolutionary Biologist for appointment at professorial rank and salary according to qualifications. Teaching of comparative vertebrate zoology and other graduate or undergraduate courses according to interest. Successful candidate is expected to contribute to research and graduate programme in population biology. Preferred research qualifications are in areas of evolutionary processes in populations and communities, ecological genetics, or behavioural ecology. Send curriculum vitae, reprints, names of three referees to: Dr. H.D. McCurdy, Head, Department of Biology, University of Windsor, Windsor, Ontario, Canada, N9B 3P4.

UNIVERSITY OF WINDSOR. **Department of Biology.** Post-Doctoral Fellow or Research Associate. Microbiologist or biochemist with interest in polysaccharide chemistry, ultrastructure or cell regulation mechanisms for research on prokaryotic developmental systems (myxobacteria and blue greens). Salary $8,500 with possible teaching supplement. To apply send curriculum vitae, copies of reprints and names of three referees to: Dr. H.D. McCurdy, Head, Department of Biology, University of Windsor, Windsor, Ontario, N9B 3P4.

MEMORIAL UNIVERSITY OF NEWFOUNDLAND. **Department of Chemistry.** Research Assistant-Research Associate in Chemistry, under the direction of Drs. J.M.W. Scott, A.G. Fallis and J. Winter. A **one-year appointment** is available for development work on natural product isolation. Minimum qualifications are a good B.Sc. with a major in Chemistry, but those with better qualifications — up to the Ph. D. level are encouraged to apply. Salary is negotiable to a maximum of $13,500. Address applications to Dr. J.M.W. Scott, Department of Chemistry, Memorial University of Newfoundland, St. John's, Newfoundland, Canada.

UNIVERSITY OF MANITOBA. **Faculty of Dentistry.** Department of Oral Biology. Applicants with interests in bacteriology, infectious diseases and immunity are invited to apply for a new position in the department. The department has an M.Sc. — Ph.D. programme and the successful candidate would be expected to participate in graduate courses, supervising graduate students, and establishing his/her own research programme. The department has extensive and well equipped laboratories available. The applicant would be responsible for undergraduate teaching in bacteriology to dental students and hygienists. Applicants should hold a licensable dental degree and either a higher dental degree or a Ph.D. Applications giving age, qualifications and experience should be sent to Dr. C.L.B. Lavelle, Department of Oral Biology, Faculty of Dentistry, The University of Manitoba, 780 Bannatyne Avenue, Winnipeg, Manitoba, Canada, R3E 0W3. Rank and salary will be commensurate with qualifications and experience. Closing date December 1, 1975.

UNIVERSITY OF WESTERN ONTARIO. **Department of Geology.** A position at the assistant professor level for a geochemist as of July 1, 1976. The applicant must be a Ph.D. with experience in x-r-f and atomic absorption techniques of analysis and must have experience with mass spectrometers. Teaching duties will be in geochemistry and mineralogy. Applicants should send a curriculum vitae and the names of three referees to W.S. Fyfe, Chairman, Department of Geology, University of Western Ontario, London, Ontario, Canada, N6A 5B7. The closing date for applications is December 1, 1975.

CONCORDIA UNIVERSITY. **Department of History.** 19th and/or 20th Century Canada. Ph.D. or equivalent publications. Undergraduate and Graduate teaching. Salary and rank dependent on qualifications. Professor Robert E. Wall, Chairman, Department of History, Sir George Williams Faculty of Arts, Concordia University, 1455 de Maisonneuve Blvd. West, Montreal, Quebec.

UNIVERSITY OF WESTERN ONTARIO. **Department of Psychology.** Applications are invited for a full-time appointment (any level) in the clinical and experimental psychopathology area. Preference will be given to applicants who have ongoing research programs as well as experience in the applied aspects of clinical-experimental psychopathology. Send vitae and names of three references to Dr. R. Neufeld, Search Committee Chairman, Department of Psychology, University of Western Ontario, London, Ontario, Canada. The appointment is contingent upon the availability of funds.

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UNIVERSITY OF BRITISH COLUMBIA. **Department of Anthropology and Sociology.** The Department will be moving to the appointment as from July 1976 of: (i) Two or three faculty members, at the Instructor, Assistant or Associate level, anthropologists and/or sociologists, whose qualifications, research and teaching interests, past, present and future, seem most commendable to the Department in view of its present strengths; and — (ii) Some visiting posts for 1976-77 only, at the Instructor or Assistant level, in Sociology and/or Anthropology and Archaeology. Applications (to the Head, Department of Anthropology and Sociology, University of British Columbia, Vancouver, B.C. — V6T 1W5) should include a full *curriculum vitae* and a narrative autobiography detailing those events and interests thought to be relevant to the post being applied for.

BACTERIOLOGY AND IMMUNOLOGY

UNIVERSITY OF WESTERN ONTARIO. **Department of Bacteriology and Immunology.** MOLECULAR VIROLOGIST. The recently appointed Chairman of this Department wishes to assemble a group interested in cell-virus interactions. One appointment, to commence June 1976 or soon thereafter, will be made at the Assistant Professor level of an individual with expertise in Molecular Virology with special interest in nucleic acids. Candidates having suitable credentials, preferably with at least two years Post-Doctoral experience in the designated field, should submit by November 1st, 1975 a curriculum vitae, pertinent reprints, and three names of individuals who can provide testimonials to: Dr. N.R. StC. Sinclair, M.D., Ph.D., Acting Chairman, Department of Bacteriology and Immunology, University of Western Ontario, London, Ontario N6A 5C1, Canada.

BIOLOGY

UNIVERSITY OF VICTORIA. **Department of Biology.** FACULTY APPOINTMENT. The Department of Biology intends to make an appointment (rank open) in Marine Fish Biology effective July 1, 1976. Teaching duties will include Chordate Zoology and Ichthyology. Applicants will be encouraged to initiate a research program which will take advantage of the Bamfield Marine Station on the west coast of Vancouver Island (this marine station is operated jointly by the University of Alberta, University of Calgary, University of British Columbia, Simon Fraser University and University of Victoria) and a new well-equipped 54 foot oceanographic launch. Applications, including a complete up-to-date curriculum vitae, should be addressed to Dr. Michael J. Ashwood-Smith, Chairman, Department of Biology, University of Victoria, Victoria, B.C., Canada, V8W 2Y2. The competition will close on November 30, 1975.

COMMERCE

UNIVERSITY OF SASKATCHEWAN. **College of Commerce.** Applications are invited for permanent or visiting teaching positions in each of the following areas: Accounting, Finance, Industrial Relations, Management and Business Policy, and Quantitative Analysis. Preference will be given to candidates with doctorates completed or near completion. Rank and salary will be commensurate with an applicant's qualifications and experience. 1975-76 salary minima for Assistant, Associate and Full Professors are $14,863, $19,338, and $25,170 respectively. Applicants should provide a full curriculum vitae, transcripts of academic record, a brief description of teaching and research interests, names of references, and details about salary expectations, date of availability, etc. to Dean S. Laimon, College of Commerce, University of Saskatchewan, Saskatoon, Canada S7N 0W0.

CONSUMER STUDIES

UNIVERSITY OF GUELPH. **Department of Consumer Studies.** (FOOD'S). Lecturer, Master's degree in appropriate area. Undergraduate teaching and research in the area of foods and food consumption in an interdisciplinary department of Consumer Studies. Salary negotiable. Apply to Dr. R.E. Vosburgh, Chairman, Department of Consumer Studies, University of Guelph, Guelph, Ontario, N1G 2W1. Appointment to commence July 1, 1976. Applications open until position is filled.

STUDENT AFFAIRS COORDINATOR

UNIVERSITY OF LETHBRIDGE

Managing all student services operating departments will be your responsibility, including personal counselling, career counselling, job placement, high school liaison, finance, health, day care, and physical recreation.

The successful candidate must possess interpersonal and administrative skills, acting as ombudsman in providing liaison between student services, students' union, student residents, and academic counselling in the development of faculties policies in the academic councils.

We prefer that you hold a PhD in social sciences or student personnel, and that you have experience in the area of student personnel administration. Men and women are welcome to explore this immediate opportunity.

For confidential attention, please send your detailed resume to:

DR. W.E. BECKEL
PRESIDENT
UNIVERSITY OF LETHBRIDGE
LETHBRIDGE, ALBERTA T1K 3M4

UNIVERSITY OF GUELPH. **Department of Consumer Studies.** Lecturer or Assistant Professor. Master's degree or Ph.D. in Textile Sciences or related area. Undergraduate (and graduate if qualified) teaching and research in an interdisciplinary department of Consumer Studies. Salary negotiable. Apply to Dr. R.E. Vosburgh, Chairman, Department of Consumer Studies, University of Guelph, Guelph, Ontario, N1G 2W1. Appointment to commence July 1, 1976. Applications open until position is filled.

CURRICULUM AND INSTRUCTION

MEMORIAL UNIVERSITY OF NEWFOUNDLAND. **Department of Curriculum and Instruction.** Head of Department. Ph.D. or equivalent with experience in teaching and administration. Administer a department of approximately 30 faculty with undergraduate and graduate programmes. Salary and rank open. Dean, Faculty of Education, Memorial University of Newfoundland, St. John's, Newfoundland. When appointment made. When position filled.

DRAMA

MCGILL UNIVERSITY. **Department of Drama.** Assistant Professor, drama specialist with expertise in dramaturgy, practical theatre and directing for Sept., 1976. Ph.D. or equivalent required. Address applications by 30 November to Prof. C.A. Conway, Associate Chairman, Dept. of English, McGill University, Montréal H3C 3G1.

ECONOMICS

UNIVERSITY OF WATERLOO. **Department of Economics.** Assistant or Associate Professor. Ph.D. preferred; teaching experience. Salary: $14,500 Assistant; $18,900 Associate. Duties: teaching introductory economics and other undergraduate courses. Appointment begins January 1, 1976. Send inquiries, vitae to Dr. Robert R. Kerton, Chairman, Department of Economics, University of Waterloo, Waterloo, Ontario, N2L 3G1.

UNIVERSITY OF SASKATCHEWAN. **Department of Economics and Political Science.** Applications are invited for two positions, Professor of Economics and Assistant Professor of Economics. Applicants for the senior position must be established scholars. Applicants for the junior position must have the Ph.D. or be near completion. Both positions involve undergraduate and graduate teaching and research. Salary negotiable. Apply to Dr. R.G. Beck, Acting Head, Department of Economics and Political Science, University of Saskatchewan, Saskatoon, Saskatchewan, S7N 0W0.

UNIVERSITY OF SASKATCHEWAN. **Department of Economics and Political Science.** The department of Economics and Political Science is seeking a professor and head, to assume duties July 1, 1976. Applicants should have the Ph.D. degree, an established reputation in teaching and scholarship, and administrative ability. The head will be expected to administer the activities of a department with a full time faculty of 30, with undergraduate major and Honours programs, and graduate programs. Salary to be negotiated. The closing date for application is December 31, 1975. Applications, with vitae and the names of three referees, should be sent to Dr. D.R. Cherry, Dean, College of Arts and Science, University of Saskatchewan, Saskatoon, Sask. S7N 0W0.

ENGINEERING

SAINT MARY'S UNIVERSITY. **Department of Engineering.** Applications are invited for the position of Assistant Professor of Engineering. Ph.D. is preferred and successful candidate will be required to teach undergraduate engineering courses. Salary range $13,000 to $17,000. Effective date of appointment September 1, 1976. Apply to: D. Mulrooney, Director of Division of Engineering, Saint Mary's University, Halifax, N.S. B3H 3C3.

ENGLISH

UNIVERSITY OF SASKATCHEWAN. **Department of English.** Applications are invited for a full professorship in Shakespeare, to begin July 1, 1976. Qualifications: Ph.D. or equivalent, publications, experience at undergraduate and graduate levels. Duties: teaching at undergraduate and graduate levels. Present salary range begins at $25,170. Removal allowance, $1,500. Tenure on appointment. Apply to H. Berry, Chairman, Department of English, University of Saskatchewan, Saskatoon, Canada.

MCGILL UNIVERSITY. **Department of English.** Assistant or Associate Professor, eighteenth century specialist with interest in editing, secondary interest in Romantics or Victorians. Ph.D. or equivalent required. Address applications by 30 November to Prof. C.A. Conway, Associate Chairman, Dept. of English, McGill University, Montreal H3C 3G1.

GEOGRAPHY

YORK UNIVERSITY. **Department of Geography.** Applications are invited for a position in biogeography from persons with research interests in ecosystem analysis. Very strong preference for someone at a senior level who can participate in ongoing research and graduate-level teaching. Salary open to negotiation. Please submit applications to Dr. Wm. C. Found, Chairman, Department of Geography, Faculty of Arts, York University, 4700 Keele St., Downsview, Ontario, M3J 1P3.

UNIVERSITY OF WESTERN ONTARIO. **Department of Geography.** Requires an Assistant or an Associate Professor, qualified in one or more of the following areas: resources management, land use, or biogeography. Applicants are requested to provide a curriculum vitae and the names of three referees. Completed applications should be sent to Dr. W. Warntz, Chairman, Department of Geography, The University of Western Ontario, London, Ontario, Canada.

HUMAN RELATIONS & COUNSELLING STUDIES

UNIVERSITY OF WATERLOO. **Department of Human Relations and Counselling Studies.** 2 (two) positions. Associate Professor (other ranks may be considered). Ph. D. or equivalent. Background in any of the human sciences, e.g. psychology, counselling, sociology, education, psychiatry, philosophy or social planning. Must be qualified to supervise doctoral dissertation work. Extensive experience in multi-disciplinary teaching and research as might be applied to individual group, organisational and/or community settings. Qualified women and men are encouraged to apply. Teaching in doctoral, master's and undergraduate programs. Supervising graduate research. Substantially contributing to the development of the Department's undergraduate program. Contributing to the integration of humanistic theory, research and practice. Assistant Professor $14,500; Associate Professor — $18,900; Professor $24,700. Professor Arthur Weiner, Acting Chairman, Department of Human Relations and Counselling Studies, University of Waterloo, Waterloo, Ontario, N2L 3G1, Canada. Effective Date of Appointment: possibilities include: 1 January 1976, 1 April 1976, 1 July 1976, 1 September 1976. Closing Date for Receipt of Application 31 July 1976.

KINESIOLOGY

UNIVERSITY OF WATERLOO. **Department of Kinesiology.** Associate or Full Professor. Ph.D. with a sound record of research and appropriate university teaching experience. Graduate and undergraduate teaching and research supervision in sociology of sport or history of sport with socio-cultural perspective. Salary depending on qualifications. Minimum for Associate Professor $18,900; minimum for Full Professor $24,700. Dr. Ronald G. Marteniuk, Chairman, Department of Kinesiology, University of Waterloo, Waterloo, Ontario. Effective Date of Appointment July 1, 1976. Closing Date for Receipt of Application November 15, 1975.

UNIVERSITY OF WATERLOO. **Department of Kinesiology.** Assistant Professor. Ph.D. Graduate and undergraduate teaching and research supervision in sociology of sport or history of sport with socio-cultural perspective. Minimum $14,700. Dr. Ronald G. Marteniuk, Chairman, Department of Kinesiology, University of Waterloo, Waterloo, Ontario. Effective Date of Appointment July 1, 1976. Closing Date for Receipt of Application November 15, 1975.

MATHEMATICS AND STATISTICS

UNIVERSITY OF GUELPH. **Department of Mathematics and Statistics.** Applications are invited for both regular positions and one year positions to begin 1 September 1976. A Ph.D. in statistics is required. Salary and rank are dependent upon qualifications and experience. Duties include undergraduate teaching and research. Applications, with biographical data and the names of three references should be sent to R.G. Buschman, Chairman, Department of Mathematics and Statistics, University of Guelph, Guelph, Ontario, N1G 2W1.

UNIVERSITY OF GUELPH. **Department of Mathematics and Statistics.** Applications are invited for a visiting position for one year to begin 1 September 1976. (See also statistics listing.) A Ph.D. in mathematics or applied mathematics is required. Salary and rank are dependent upon qualifications and experience. Duties include undergraduate teaching and research. Applications, with biographical data and the names of three references, should be sent to R.G. Buschman, Chairman, Department of Mathematics and Statistics, University of Guelph, Guelph, Ontario, N1G 2W1.

MEDICINE

UNIVERSITY OF BRITISH COLUMBIA. **Faculty of Medicine.** Seeking a Professor and Head for the Department of Obstetrics and Gynaecology. The appointee will be responsible for medical undergraduate and graduate education in the department and for its program of research. The appointee will serve as Head of the Department of Obstetrics and Gynaecology at the Vancouver General Hospital and will have administrative responsibilities in the operation of this affiliated general hospital which serves both as a teaching and community hospital. The appointee will coordinate the undergraduate and graduate participation of other affiliated institutions in the academic program. Salary will be according to qualifications and experience. Applications accompanied by detailed curriculum vitae and the names of three persons for reference will be received by the The Dean, Faculty of Medicine, University of British Columbia, Vancouver, B.C., Canada, V6T 1W5, until November 30, 1975.

MEMORIAL UNIVERSITY OF NEWFOUNDLAND. **Faculty of Medicine.** Applications are invited by the Faculty of Medicine, Memorial University of Newfoundland, St. John's, Newfoundland, Canada, for an appointment as a NEUROSCIENTIST. The academic rank and salary will be commensurate with qualifications and experience. The successful candidate should have an M.D. and/or a Ph.D. and have an active research experience including any of the broad areas of neuro-physiology, neuro-chemistry, neuro-endocrinology or neuro-pharmacology, preferably working on problems of direct clinical applicability, so as to provide a bridge between basic research and clinical activities. He/She will be required to participate in teaching neurosciences to medical students, interns and residents. Applicants should submit a curriculum vitae together with a resume of their research interests and the names of at least two referees to Dr. J.W. Snellen, Chairman Neuroscientist Search Committee, Faculty of Medicine, Memorial University of Newfoundland, St. John's, Newfoundland, Canada. The successful candidate will be expected to take up the position as soon as possible.

MUSIC

UNIVERSITY OF WESTERN ONTARIO. **Department of Applied Music.** Applications are invited for the position of Chairman of the Department effective 1 July 1976. Candidates should possess a doctorate or have had significant professional experience, have taught extensively at the university level and have had administrative experience. Besides the administration of a Department of 18 full-time and 41 part-time faculty within a school of approximately 625 students, duties may include some teaching at the undergraduate or graduate level. 1975-76 salary floors are: Associate Professor ~~$17,~~525 and Professor $23,200. Applications to 1 February 1976 should be sent to Professor Hugh J. McLean, Dean, Faculty of Music, The University of Western Ontario, London, Ontario, N6A 3K7.

UNIVERSITY OF WESTERN ONTARIO. **Department of Theory and Composition.** Applications are invited for the position of Chairman of the Department effective 1 July 1976. Candidates should possess a doctorate in theory or composition, have taught extensively, have a record of significant publications or compositions and have had administrative experience. Besides the administration of a Department of eight full-time faculty within a school of approximately 625 students, duties may include some teaching at the undergraduate or graduate level and thesis supervision. 1975-76 salary floors are: Associate Professor $17,525 and Professor $23,200. Applications to 1 February 1976 should be sent to Professor Hugh J. McLean, Dean, Faculty of Music, The University of Western Ontario, London, Ontario, N6A 3K7.

PHYSICS

UNIVERSITY OF SASKATCHEWAN. **Department of Physics.** The Physics department is seeking a professor and head, to assume duties July 1, 1976. Applicants should have the Ph.D. degree, an established research record, previous university experience, and administrative ability. The head will be expected to coordinate and administer the activities of a department with a full time faculty of 20, and to provide leadership in the development of academic and research activities. Salary to be negotiated. The closing date for applications is December 31, 1975. Applications, with vitae and the names of three referees, should be sent to Dr. D.R. Cherry, Dean, College of Arts and Science, University of Saskatchewan, Saskatoon, Sask. S7N 0W0.

POLITICAL SCIENCE

MCMASTER UNIVERSITY. **Department of Political Science.** Applications are invited for the position of Professor or senior Associate Professor of Political Science. Candidates should be specialists in Comparative Politics (preferably Western Europe) and should, in addition, have a substantial knowledge of Canadian Politics. Considerable teaching experience in Canada at both the undergraduate and graduate levels is essential. Candidates should hold a Ph.D. degree and have a proven record of active research and significant publication. Administrative experience would be a distinct asset. Effective date of the Appointment will be July 1, 1976. Applications, resumés and the names of referees should be transmitted by November 15, 1975 to Dr. Adam Bromke, Chairman, Department of Political Science, McMaster University, Hamilton, Ontario. L8S 4M4.

PSYCHOLOGY

UNIVERSITY OF BRITISH COLUMBIA. **Department of Psychology. Five Positions.** One position, Assistant to Full Professor; outstanding candidates in any area of specialization but with preference for human learning, cognition, social developmental, human biopsychology, or spanning more than one of these areas. Four positions, Assistant to Associate Professor; 1 each in Quantitative Methods, Environmental Psychology (Coordinator of Environmental Psychology programme), Developmental Psychology and Clinical/Community Psychology. Evidence of demonstrated research competence required for all areas. Experience in field and laboratory research in appropriate areas is desirable. The University of British Columbia offers equal opportunity for employment to qualified male and female candidates. Send curriculum vitae and names of 3 references to: Chairman, Faculty Search Committee, Department of Psychology, University of British Columbia, Vancouver, B.C. V6T 1W5, Canada.

RECREATION

UNIVERSITY OF WATERLOO. **Department of Recreation.** Faculty of Leisure Studies. Requirements: Academic with broad interdisciplinary view to graduate and undergraduate instruction; ability to successfully supervise student theses and honors projects; continuing involvement and participation in professional organizations; demonstrated competence and commitment to scholarship in one of the following areas: 1. Therapeutic Recreation (aging) and 2. Recreation Administration (management). Earned doctorate or its near completion in recreation, social gerontology, public administration or management science preferred. Salary and rank commensurate with experience and ability. Appointment effective September 1975 or January 1976. CONTACT: Dr. William Theobald, Chairman, Department of Recreation, University of Waterloo, Waterloo, Ontario, Canada, N2L 3G1.

RELIGIOUS STUDIES

UNIVERSITY OF CALGARY. **Religious Studies.** Applications are invited for a senior post in Religious Studies in The University of Calgary, at the rank of Associate or Full Professor. The applicant should be competent in contemporary Christian thought, with a particular emphasis on Catholic Thought. The appointment is to be made in a young but expanding programme, with an emphasis on undergraduate teaching. The successful applicant will be expected to assume/responsibilities in July, 1976. Enquiries and applications (including curriculum vitae and names of three referees) should be addressed to Dr. N.R. Parsons, Dean, Faculty of Arts and Science, The University of Calgary, Calgary, Alberta, Canada, T2N 1N4.